

# LA VISTA CITY COUNCIL MEETING AGENDA

April 21, 2015

7:00 P.M.

Harold "Andy" Anderson Council Chamber

La Vista City Hall

8116 Park View Blvd.

- Call to Order
- Pledge of Allegiance
- Announcement of Location of Posted Open Meetings Act
  
- Service Awards - Randy Ruhge, Brad Wood – 15 years

*All matters listed under item A, Consent Agenda, are considered to be routine by the city council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

## A. CONSENT AGENDA

1. Approval of the Agenda as Presented
2. Approval of the Minutes of the April 7, 2015 City Council Meeting
3. Approval of the Minutes of the March 12, 2015 Library Advisory Board Meeting
4. Approval of the Minutes of the March 18, 2015 Park & Recreation Advisory Board Meeting
5. Approval of the Minutes of the March 19, 2015 Planning Commission Meeting
6. Approval of the Minutes of the April 8, 2015 Park & Recreation Advisory Board Meeting
7. Monthly Financial Reports – January 2015
8. Resolution – Approval of Individual Bond – Treasurer
9. Resolution – Special Designated Liquor License – Swizzle Stix Lounge, Inc. – Beer Garden – La Vista Daze
10. Approval of Claims.

- Reports from City Administrator and Department Heads

## B. Zoning Text Amendments – Animal Specialty Services & Kennels

1. Public Hearing
2. Ordinance

## C. Zoning Text Amendments – Industrial Condominiums

1. Public Hearing
2. Ordinance

## D. Conditional Use Permit – Self-Service Storage Facility Lot 1, Sarpy County Industrial Park Replat 2 (S of Giles on 126<sup>th</sup> St)

1. Public Hearing
2. Resolution

## E. Fireworks Permits

1. Resolution – Establish Number of Permits
2. Resolution – Issuance of Permits

## F. Resolution – Hometown Heroes Banner Program

## G. Resolution – Interlocal Agreement – City Park Field Usage

## H. Resolution – Thompson Creek, Phase VI, Part 2 Watershed Restoration NET Grant Contract

## I. Resolution – Award of Contract – Concession Stand Operations

## J. Discussion – Blue Star Memorial

## K. Executive Session – Contract Negotiations

- Comments from the Floor
- Comments from Mayor and Council
  
- Adjournment

The public is welcome and encouraged to attend all meetings. If special accommodations are required please contact the City Clerk prior to the meeting at 402-331-4343. A copy of the Open Meeting Act is posted in the Council Chamber and available in the public copies of the Council packet. Citizens may address the Mayor and Council under "Comments from the Floor." Comments should be limited to five minutes. We ask for your cooperation in order to provide for an organized meeting.

# MINUTE RECORD

A-2

No. 729 — REEFIELD & COMPANY, INC. OMAHA E110778BLD

## LA VISTA CITY COUNCIL MEETING April 7, 2015

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 7:00 p.m. on April 7, 2015. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Police Chief Lausten, Director of Administrative Services Pokorny, Community Development Director Birch, Recreation Director Stopak, Library Director Barcal, Human Resource Manager Garrod and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on March 25, 2015. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at City Hall during normal business hours.

### AWARD PRESENTATIONS – DEAN PAULSEN – BOARD OF ADJUSTMENT; CAROL WESTLUND - LIBRARY ADVISORY BOARD

Mayor Kindig recognized Dean Paulsen for his service on the Board of Adjustment and Carol Westlund for her service on the Library Advisory Board.

### SERVICE AWARD - RICK ROY, SR. – 10 YEARS

Mayor Kindig recognized Rick Roy Sr. for 10 years of service to the City of La Vista.

### PROCLAMATION – EARTH DAY

Mayor Kindig read and presented a proclamation declaring April 26, 2015 as Earth Day in La Vista.

### LEADERSHIP SARPY PRESENTATION – THOMPSON CREEK LEARNING CENTERS

Five members of the Leadership Sarpy class, representing 5 businesses in Sarpy County gave a presentation on the set up of learning centers along the Thompson Creek.

### LEADERSHIP SARPY PRESENTATION – HOMETOWN HEROES

Five members of the Leadership Sarpy class, representing 5 businesses in Sarpy County gave a presentation on honoring military relatives with banners along the main streets in La Vista.

### APPOINTMENTS

#### JACKIE HILL – PLANNING COMMISSION – FILL VACANCY JASON DALE – PLANNING COMMISSION ALTERNATE – FILL VACANCY

Mayor Kindig stated that, with approval of Council, he would like to appoint Jackie Hill to fill a vacancy on the Planning Commission and Jason Dale to fill a vacancy as alternate on the Planning Commission. Motion by Sheehan to approve the Mayor's appointments. Thomas seconded. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE MARCH 17, 2015 CITY COUNCIL  
MEETING
3. MONTHLY FINANCIAL REPORTS – OCTOBER 2014, NOVEMBER 2014,  
DECEMBER 2014

# MINUTE RECORD

April 7, 2015

No. 729 — REFIELD & COMPANY, INC. OMAHA E1107788LD

4. PAY REQUEST FROM RDG PLANNING AND DESIGN – PROFESSIONAL SERVICES – THOMPSON CREEK OUTREACH - \$750.00
5. PAY REQUEST FROM THOMPSON DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – 124<sup>TH</sup> CIRCLE AND HARRISON STREET TRAFFIC SIGNAL PROJECT - \$1,616.83
6. PAY REQUEST FROM THOMPSON DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – CITY HALL BIO-BASIN PROJECT - \$160.96
7. PAY REQUEST FROM THOMPSON DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – THOMPSON CREEK PHASE 1 PROJECT - \$2,925.51
8. PAY REQUEST FROM THOMPSON DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – CITY HALL BIO-BASIN PROJECT - \$242.50
9. PAY REQUEST FROM THOMPSON DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – 120<sup>TH</sup> & GILES ROAD TRAFFIC SIGNAL - \$1,138.59
10. PAY REQUEST FROM UPSTREAM WEEDS – PROFESSIONAL SERVICES – THOMPSON CREEK RESTORATION PROJECT - \$5,293.40
11. PAY REQUEST FROM FELSBURG HOLT & ULLEVIG – PROFESSIONAL SERVICES – HELL CREEK CHANNEL IMPROVEMENTS PHASE II - \$3,833.23
12. PAY REQUEST FROM MIDWEST EXCAVATING SERVICES LLC – CONSTRUCTION SERVICES – CITY HALL BIO BASIN PROJECT - \$7,252.78
13. RESOLUTION NO. 15-038 – AUTHORIZE ADVERTISEMENT OF BIDS – MAINTENANCE FACILITY ROOF REPLACEMENT – PUBLIC WORKS

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT OF BIDS FOR REPLACEMENT OF THE PUBLIC WORKS MAINTENANCE FACILITY ROOF.

WHEREAS, the City Council has determined that the replacement of the Public Works Maintenance Facility roof is necessary, and

WHEREAS, the FY15 Capital Fund Budget provides funding for this project, and

WHEREAS, the City Engineer and staff have prepared plans and specifications for said project.

NOW, THEREFORE BE IT RESOLVED that the Mayor and City Council do hereby authorize the advertisement of bids for the replacement of the Public Works Maintenance Facility roof in accordance with plans and specifications prepared by the City Engineer and staff. Said bids are to be opened and publicly read aloud at 10 a.m. at the office of the City Clerk, 8116 Park View Boulevard, La Vista, Nebraska on May 4, 2015.

Publish Notice to Contractors	April 15 and April 22, 2015
Open Bids	May 4, 2015 at 10:00 a.m. at City Hall
City Council Award Contract	May 19, 2015

NOW, THEREFORE BE IT FURTHER RESOLVED that the project will be advertised through the Plan Room at StandardSHARE web site, Standard Digital Imaging, 4424 South 108<sup>th</sup> Street, Omaha Nebraska and plans and specifications will be distributed through this web site.

#### 14. RESOLUTION NO. 15-039 – AUTHORIZE ADVERTISEMENT OF BIDS – SEWER SHOP REHABILITATION – PUBLIC WORKS

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT OF BIDS FOR REHABILITATION OF THE PUBLIC WORKS SEWER SHOP.

WHEREAS, the City Council has determined that the rehabilitation of the Public Works Sewer shop is necessary, and

WHEREAS, the FY15 Capital Fund Budget provides funding for this project, and

WHEREAS, the City Engineer and staff have prepared plans and specifications for said project.

# MINUTE RECORD

April 7, 2015

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1107788LD

NOW, THEREFORE BE IT RESOLVED that the Mayor and City Council do hereby authorize the advertisement of bids for the rehabilitation of the Public Works Sewer shop in accordance with plans and specifications prepared by the City Engineer and staff. Said bids are to be opened and publicly read aloud at 10 a.m. at the office of the City Clerk, 8116 Park View Boulevard, La Vista, Nebraska on May 4, 2015.

Publish Notice to Contractors	April 15 and April 22, 2015
Open Bids	May 4, 2015 at 10:00 a.m. at City Hall
City Council Award Contract	May 19, 2015

NOW, THEREFORE BE IT FURTHER RESOLVED that the project will be advertised through the Plan Room at StandardSHARE web site, Standard Digital Imaging, 4424 South 108<sup>th</sup> Street, Omaha Nebraska and plans and specifications will be distributed through this web site.

## **15. RESOLUTION NO. 15-040 – AUTHORIZE INTERLOCAL CONTRACT – HGAC/BUY**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL CONTRACT WITH HOUSTON-GALVESTON AREA COUNCIL BUY (HGACBUY) FOR COOPERATIVE PURCHASING OF GOODS AND SERVICES.

WHEREAS, the City has determined that it is desirable to enter into an interlocal contract with HGACBuy; and

WHEREAS, the Cooperative works like the state bid process, but on a much larger scale at the regional and national level; and

WHEREAS, goods and services purchased from the HGACBuy contracts are delivered to local vendors for distribution to the end user;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the Mayor to execute an interlocal contract with HGACBuy.

## **16. RESOLUTION NO. 15-041 – SPECIAL DESIGNATED LIQUOR LICENSE – CITY OF LA VISTA – SALUTE TO SUMMER FESTIVAL**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE SALE AND CONSUMPTION OF BEER AT A BEER GARDEN IN CENTRAL PARK ON MAY 22 - 23, 2015, IN CONJUNCTION WITH THE ANNUAL SALUTE TO SUMMER FESTIVAL.

WHEREAS, Central Park is located within the City of La Vista; and

WHEREAS, the City of La Vista has requested approval of a Special Designated Permit to sell and serve beer at a beer garden in Central Park on May 22 - 23, 2015, in conjunction with the annual Salute to Summer Festival.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the City of La Vista to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to sell and serve beer at a beer garden in Central Park on May 22 - 23, 2015, in conjunction with the annual Salute to Summer Festival.

## **17. APPROVAL OF CLAIMS**

ACTION BATTERIES, maint.	\$186.73
ALAMAR UNIFORMS, apparel	\$1,224.43
AMERICAN FOOTGOLF LEAGUE INC, services	\$1,821.28
ASPEN EQUIPMENT CO., maint.	\$63.77
B & H PHOTO VIDEO, maint.	\$95.70
BADGER BODY, maint.	\$37.00

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No. 729 — REFIELD & COMPANY, INC. OMAHA E1107786LD

BAKER & TAYLOR, books	\$1,306.57
BARONE SECURITY, services	\$120.00
BEACON BUILDING, services	\$5,812.00
BENNETT REFRIGERATION, bld&grnds	\$1,118.76
BIRCH, A., travel	\$442.95
BKD LLP, services	\$7,050.00
BLACK HILLS ENERGY, utilities	\$6,681.85
BRENTWOOD AUTO WASH, maint.	\$49.00
BRIDGESTONE GOLF, supplies	\$669.32
BSN SPORTS INC, supplies	\$2,566.86
BUETHE, P., travel	\$1,574.56
BUILDERS SUPPLY CO ., bld&grnds	\$650.40
CALENTINE, J., travel	\$283.50
CALLAWAY GOLF CO., supplies	\$548.10
CAPSTONE PRESS INC.,books	\$1,978.65
CARNAHAN EVANS CANTWELL &BROWN, services	\$332.27
CATHERINE DEMES MAYDEW, services	\$4,680.00
CAVLOVIC, P., apparel	\$149.99
CENTER POINT PUBLISHING, books	\$340.32
CENTRAL STATES PETROLEUM, maint.	\$11,558.64
CENTURY LINK, phones	\$845.57
CENTURY LINK, phones	\$191.36
CLASSIC REFRIGERATION, services	\$360.49
CMS-CTR FOR MUNICIPAL SOLUTIONS, services	\$1,100.00
COCA-COLA BOTTLING CO., supplies	\$942.24
COLIBRI SYSTEMS, supplies	\$400.00
COMP CHOICE INC, services	\$373.50
CORNHUSKER STATE INDUSTRIES, services	\$28.00
COVENTRY HEALTHCARE NE., services	\$467.00
COX COMMUNICATIONS, services	\$160.01
COX COMMUNICATIONS, services	\$50.00
DANDERAND, J., reimbursement	\$2,135.28
DATASHIELD CORP, services	\$2.25
DEARBORN NAT'I LIFE INSURANCE, services	\$4,016.75
DIAMOND VOGEL PAINTS, supplies	\$200.75
ED ROEHR SAFETY PRODUCTS, apparel	\$63.62
EDGEWEAR SCREEN PRINTING, apparel	\$650.00
ENCYCLOPAEDIA BRITANNICA, media	\$785.00
EXCHANGE BANK, services	\$1,035.79
FBINAA-FBI NATL ACAD ASSOCS, services	\$100.00
FILTER CARE, maint.	\$46.15
FIREGUARD INC, maint.	\$87.05
FITZGERALD SCHORR BARMETTLER, services	\$24,202.70
FOCUS PRINTING, services	\$10,270.87
FOOD SERVICE WAREHOUSE, supplies	\$2,021.99
G I CLEANER & TAILORS, services	\$307.50
GALE, books	\$473.80
GALLS, AN ARAMARK CO., apparel	\$276.15
GARROD, M., travel	\$283.50
GCR TIRES & SERVICE, maint.	\$806.86
GENERAL SERVICE BUREAU, services	\$116.00
GOV HR USA, services	\$4,253.00
H W WILSON CO., books	\$345.00
HANEY SHOE STORE, apparel	\$131.99
HARTS AUTO SUPPLY, maint.	\$881.00
HOLSTEIN'S HARLEY DAVIDSON, maint.	\$546.90
HOME DEPOT, supplies	\$252.62
HONEYMAN RENT-ALL, services	\$65.40
HORNUNG'S GOLF PRODUCTS, supplies	\$75.95
HOST COFFEE SERVICE, supplies	\$47.80

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No. 729 — REFIELD & COMPANY, INC. OMAHA E1107788LD

HSMC ORIZON LL, services	\$3,167.50
HY-VEE INC, supplies	\$731.75
INGRAM LIBRARY SERVICES, books	\$213.22
INTERNATIONAL CODE COUNCIL, books	\$88.00
IVERSON, D., travel	\$255.00
J Q OFFICE EQUIPMENT, services	\$50.37
J. BROWN, travel	\$261.00
JOHNSTONE SUPPLY CO, supplies	\$301.87
KELLY'S CARPET OMAHA, services	\$1,055.40
KINDIG, D., travel	\$57.50
KLINKER, MARK A, services	\$200.00
LA VISTA COMM. FOUNDATION, services	\$50.00
LANDPORT SYSTEMS, services	\$125.00
LEAGUE OF NEBR MUNICIPALITIES, services	\$375.00
LERNER PUBLISHING, books	\$383.61
LEXIS NEXIS MATTHEW BENDER, books	\$336.31
LIBRARY ADVANTAGE, supplies	\$560.00
LIBRARY IDEAS, media	\$5.50
LOGAN CONTRACTORS SUPPLY, services	\$220.00
LOGAN SIMPSON DESIGN, services	\$1,530.36
M. ENGBERG, travel	\$120.00
MANAGEMENT EDUCATION GROUP , services	\$5,916.95
MAPLE 85, maint.	\$5,425.00
MATHESON TRI-GAS, maint.	\$4.48
MAXIM CLEANING, services	\$345.00
MENARDS-RALSTON, supplies	\$919.77
METRO AREA TRANSIT, services	\$412.00
METRO COMMUNITY COLLEGE, services	\$23,338.44
METROPOLITAN UTILITIES DIST., utilities	\$1,375.99
MID CON SYSTEMS INC., maint.	\$343.20
MIDWEST TAPE, media	\$661.28
MONARCH OIL INC, maint	\$462.00
MOORE WALLACE, supplies	\$475.70
MUNICIPAL PIPE TOOL CO., services	\$1,099.00
NATIONAL EVERYTHING WHOLESALE, supplies	\$447.10
NE LIQUOR CONTROL COMMISSION, services	\$80.00
NE SECRETARY OF STATE, services	\$20.00
NEBRASKA WELDING LTD, maint.	\$53.81
NLA/NEMA CONFERENCE, services	\$70.00
NMC EXCHANGE LLC, maint.	\$597.29
NUTS AND BOLTS INC., maint.	\$21.88
OCLC INC, media	\$117.99
OFFICE DEPOT, supplies	\$1,307.74
OMAHA COMPOUND CO., supplies	\$396.18
OMAHA GUTTER & SIDING CO., services	\$1,924.17
OMAHA PUBLIC POWER DISTRICT, utilities	\$2,274.36
OMAHA WINDUSTRIAL CO, services	\$144.10
OMAHA WINNELSON, bld&grnds	\$176.80
OMAHA WORLD-HERALD, services	\$677.25
OMNI, maint.	\$121.98
OMNIGRAPHICS INC., books	\$81.85
ONE CALL CONCEPTS, services	\$86.80
O'REILLY AUTOMOTIVE, maint.	\$35.96
ORIENTAL TRADING CO., supplies	\$147.85
OVERHEAD DOOR CO., services	\$316.00
PARAMOUNT LINEN & UNIFORM, services	\$479.34
PAYFLEX SYSTEMS, services	\$250.00
PAYLESS OFFICE, supplies	\$149.95
PERFORMANCE CHRYSLER JEEP, maint.	\$117.75
PETTY CASH - S. STOPAK, supplies	\$300.00

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No. 729 — REGIELD & COMPANY, INC. OMAHA E1107788LD

PETTY CASH-P.BUETHE, supplies	\$152.04
PITNEY BOWES INC., supplies	\$330.22
PLAINS EQUIPMENT GROUP, maint.	\$1,331.48
PREMIER-MIDWEST BEVERAGE, supplies	\$236.15
Q P ACE HARDWARE, bld&grnds	\$1,325.80
QUALITY BRANDS OF OMAHA, supplies	\$158.30
R. SOUTH, travel	\$283.50
RDG PLANNING & DESIGN, services	\$2,727.93
RECORDED BOOKS, media	\$6,845.66
RETRIEVEX, services	\$117.10
S. LINDBERG, reimbursement	\$185.01
SARPY COUNTY COURTHOUSE, services	\$4,083.17
SARPY COUNTY TREASURER, services	\$42,275.00
SARPY CTY CHAMBER, services	\$75.00
SCHOLASTIC LIBRARY, books	\$152.10
SIMPLEX GRINNELL LP, services	\$210.84
SOLBERG, C., travel	\$245.10
SPRINT, services	\$119.97
SUBURBAN NEWSPAPERS, services	\$50.00
SYDNEY SELLS, services	\$40.00
TED'S MOWER SALES, maint.	\$83.00
TITAN MACHINERY, maint.	\$134.60
TITLEIST, supplies	\$840.05
TRANS UNION RISK, services	\$8.00
TURF CARS LTD, services	\$318.45
UNITED PARCEL, services	\$16.80
UNIVERSITY NEBRASKA LINCOLN, supplies	\$30.00
VAN-WALL EQUIPMENT, maint.	\$1,529.97
VERIZON WIRELESS	\$803.90
VIERREGGER ELECTRIC CO., maint.	\$1,276.00
WAL-MART, supplies	\$521.25
WARD, D., travel	\$255.00
WICK'S STERLING TRUCKS, maint.	\$29.68
WITMER PUBLIC SAFETY, supplies	\$69.58
ZIMCO SUPPLY CO., supplies	\$425.00

Councilmember Crawford made a motion to approve the consent agenda. Seconded by Councilmember Hale. Councilmember Thomas reviewed the claims for this period and stated everything was in order. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn congratulated staff on the work done on the Comprehensive Plan Kickoff.

Assistant City Administrator Ramirez gave an overview of the kickoff event and presentation and the workshop.

Director of Public Works Soucie stated that the cleanup days for La Vista are April 24 and 25 and there will be no paper shredding this year. Soucie stated that a new dump truck has been purchased and delivered and the 1984 dump truck will be retired. Soucie also informed Council that the 2 new CNG pickups have arrived.

Director of Administrative Services gave an update on the council chambers upgrade.

Recreation Director Stopak informed Council of a trade show being held at the Community Center Saturday and Sunday.

Communications Coordinator Beaumont thanked everyone for their help with the Easter egg hunt.

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Library Director Barcal informed Council that 90 people signed up for the Winter Reading Program.

## **B. CITIZEN ADVISORY REVIEW COMMITTEE – EDP REPORT**

### **1. PUBLIC HEARING**

At 8:03 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Citizen Advisory Review Committee – EDP Report. Doug Kellner, chairman of the Committee, was present to answer any questions.

At 8:06 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **C. ONE AND SIX YEAR STREET IMPROVEMENT PLAN**

### **1. PUBLIC HEARING**

At 8:07 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the One and Six Year Street Improvement Plan.

At 8:07 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Quick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### **2. RESOLUTION**

Councilmember Sell introduced and moved for the adoption of Resolution No.15-042; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE ONE-AND-SIX-YEAR PLAN FOR HIGHWAY, ROAD AND STREET IMPROVEMENTS FOR THE CITY OF LA VISTA AS SUBMITTED BY THE CITY PUBLIC WORKS DIRECTOR.

WHEREAS, the Public Works Director has revised and updated the City of La Vista One-and-Six-Year Street Plan; and

WHEREAS, the La Vista Planning Commission has reviewed the One-and-Six-Year Street Plan for the City of La Vista and recommends to Council approval of the Plan; and

WHEREAS, the Mayor and City Council of the City of La Vista, Nebraska held a public hearing on the City of La Vista's One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted by the City Public Works Director; and

WHEREAS, the citizens of the City of La Vista have therefore had an opportunity to comment on the One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted and reviewed by the La Vista City Council; and

WHEREAS, projects in the One-and-Six-Year Street Plan have been incorporated into the City of La Vista's Capital Improvement Plan.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska that the One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted by the City Public Works Director and reviewed by the Mayor and City Council of the City of La Vista be, and the same hereby is, accepted and approved.

Seconded by Councilmember Quick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.



# MINUTE RECORD

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No. 729 — REFIELD & COMPANY, INC. OMAHA E1107788LD

## **D. ORDINANCE – AMEND MASTER FEE ORDINANCE**

Councilmember Hale introduced Ordinance No. 1241 entitled; AN ORDINANCE TO AMEND ORDINANCE NO.1236, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Quick seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1241 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## **E. APPLICATION FOR CONDITIONAL USE PERMIT – LOT 1, ANDOVER POINTE (NE OF 132<sup>ND</sup> & CENTECH ROAD)**

### **1. PUBLIC HEARING**

At 8:09 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the application for a Conditional Use Permit – Lot 1, Andover Pointe (NE of 132<sup>nd</sup> & Centech Road)

At 8:10 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### **2. RESOLUTION – APPROVAL OF CONDITIONAL USE PERMIT**

Councilmember Hale introduced and moved for the adoption of Resolution No.15-043; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR EDWARD ROSE DEVELOPMENT COMPANY, LLC, TO ALLOW FOR A MULTIPLE FAMILY DWELLING COMPLEX AND ANTENNA TOWER ON LOT 1, ANDOVER POINTE.

WHEREAS, Edward Rose Development Company, LLC has applied for a conditional use permit for to allow for a multiple family dwelling complex and antenna tower, on Lot 1, Andover Pointe, located northeast of 132<sup>nd</sup> Street and Centech Road; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval; and

# MINUTE RECORD

April 7, 2015

No. 729 -- REFIELD & COMPANY, INC. OMAHA E1107788LD

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit for such purposes.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, for Edward Rose Development Company, LLC to allow for a multiple family dwelling complex and antenna tower, on Lot 1, Andover Pointe.

Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **F. RESOLUTION – APPROVE NO PARKING ZONE MODIFICATION – BRENTWOOD DRIVE – 96<sup>TH</sup> TO 99<sup>TH</sup>**

Councilmember Thomas introduced and moved for the adoption of Resolution No.15-044; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA MODIFYING A NO PARKING ZONE ON BRENTWOOD DRIVE FROM 96<sup>TH</sup> TO 99<sup>TH</sup> STREETS

WHEREAS, the Mayor and City Council have determined that modifications to the "No Parking Zones" are necessary, due to confusion of the public in this area; and

WHEREAS, the modification of No Parking Zones is as follows:  
The "no Parking Zone" on the north side of Brentwood Drive beginning 66 feet west of the centerline of South 97<sup>th</sup> Plaza, thence westerly along Brentwood to 33 feet west of the centerline of South 99<sup>th</sup> Street. The "No Parking Zone" on the south side of Brentwood Drive will be relocated to commencing 66 feet west of the centerline of South 97<sup>th</sup> Plaza, thence westerly along Brentwood Drive to 150 feet west of the centerline of South 99<sup>th</sup> Street; and

WHEREAS, City Engineer and staff have reviewed the plan and recommend approval; and

NOW, THEREFORE, BE IT RESOLVED, that the "No Parking Zones" modifications on Brentwood Drive from 96<sup>th</sup> to 99<sup>th</sup> Streets are approved;

BE IF FURTHER RESOLVED, that the Public Works Department be, and hereby is, authorized to install/move the appropriate signage designating this a "No Parking Zone".

Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **G. RESOLUTION – AUTHORIZATION TO PURCHASE – SEWER EASEMENT MACHINE**

Councilmember Quick introduced and moved for the adoption of Resolution No.15-045; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) MODEL JAJ-600WH WORK HORSE EASEMENT MACHINE FROM MUNICIPAL PIPE TOOL COMPANY LLC, HUDSON, IOWA FOR AN AMOUNT NOT TO EXCEED \$57,008.50.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a sewer easement machine is necessary, and

WHEREAS, the FY15 Sewer Fund Budget provides funding for the proposed purchase, and

WHEREAS, Subsection (c) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

# MINUTE RECORD

April 7, 2015

No. 729 — REFIELD & COMPANY, INC. OMAHA E1107788LD

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of one (1) model JAJ-600WH Work Horse Easement Machine from Municipal Pipe Tool Company LLC, Hudson, Iowa for an amount not to exceed \$57,008.50.

Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **H. RESOLUTION – AUTHORIZATION TO PURCHASE – MOWERS**

Councilmember Hale introduced and moved for the adoption of Resolution No.15-046; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF TWO (2) 2015 EXMARK LAZER DIESEL RIDING MOWERS FROM HGAC/BUY ON CONTRACT 671 #GR01-15 FOR AN AMOUNT NOT TO EXCEED \$28,668.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of mowers for the Parks Department is necessary, and

WHEREAS, the FY15 General Fund Budget provides funding for the proposed purchase, and

WHEREAS, Subsection (c) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of two (2) Exmark Lazer diesel riding mowers from HGAC/Buy on Contract 671 #GR01-15 for an amount not to exceed \$28,668.

Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **I. RESOLUTION – AUTHORIZATION TO PURCHASE – HARD CAB AND ANGLING FRONT BLADE**

Councilmember Quick introduced and moved for the adoption of Resolution No.15-047; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) JOHN DEERE 60" HEAVY DUTY HYDRAULIC ANGLING FRONT BLADE AND ONE (1) JOHN DEERE HARD CAB 1400 SERIES FROM DEER & COMPANY, CARY, NORTH CAROLINA, VIA THE NE PIGGYBACK GROUNDS CARE EQUIPMENT CONTRACT #4425-5 FOR AN AMOUNT NOT TO EXCEED \$6,794.02.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a hard cab and angling front blade for show operations is necessary, and

WHEREAS, the FY15 General Fund Budget provides funding for the proposed purchase, and

WHEREAS, Subsection (c) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of one (1) John Deere 60" Heavy Duty Hydraulic Angling Front Blade and one (1) John Deere Hard Cab 1400 Series from Deer & Company, Cary, North Carolina, via The NE Piggyback Grounds Care Equipment Contract #4425-5 for an amount not to exceed \$6,794.02.

Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

# MINUTE RECORD

April 7, 2015

No. 729 — REEDEL & COMPANY, INC. OMAHA E1107788LD

## **J. RESOLUTION – AUTHORIZATION TO PURCHASE – DIGITAL RADIOS**

Councilmember Hale introduced and moved for the adoption of Resolution No.15-048; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF TWENTY (20) MOTOROLA 800 MHZ P25 DIGITAL RADIOS FROM D & D COMMUNICATIONS, OMAHA, NE FOR MOTOROLA SOLUTIONS FOR AN AMOUNT NOT TO EXCEED \$76,366.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of digital radios is necessary; and

WHEREAS, the FY 15 Capital Improvement Program (CIP) provides funding for this purchase; and

WHEREAS, Subsection (c) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize the purchase of twenty (20) Motorola 800 MHZ P25 Digital Radios from D & D Communications, Omaha, NE for Motorola Solutions in an amount not to exceed \$76,366.

Seconded by Councilmember Thomas. Councilmember Sheehan asked who gets these radios. Pokorny stated that 15 go to the Police Department and 5 to Public Works. He said this completes a 4 year purchase program. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

Councilmember Crawford made a motion to move Comments from the Floor ahead of Item K. Executive Session. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **COMMENTS FROM THE FLOOR**

There were no comments from the floor.

## **K. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS**

At 8:20 p.m. Councilmember Crawford made a motion to go into executive for protection of the public interest for contract negotiations. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 8:38 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **COMMENTS FROM MAYOR AND COUNCIL**

Councilmember Sheehan told Council of upcoming Sarpy County Chamber Events.

At 8:43 p.m. Councilmember Hale made a motion to adjourn the meeting. Seconded by Councilmember Quick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

# MINUTE RECORD

April 7, 2015

No. 729 — REFIELD & COMPANY, INC. OMAHA E1107788LD

PASSED AND APPROVED THIS 21ST DAY OF APRIL, 2015

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

**MEETING OF THE LIBRARY ADVISORY BOARD  
CITY OF LA VISTA**

**MINUTES OF MEETING  
March 12, 2015**

Members Present:      Rose Barcal                      Jill Frederick                      Huyen-Yen Hoang  
                                 Valerie Russell                      Carol Westlund

Members Absent:      Kim Schmit-Pokorny

Guests:                      Susan Krause                      Lindsey Tomsu

Agenda Item #1: Call to Order

The meeting was called to order at 5:32 p.m.

Agenda Item #2: Announcement of Location of Posted Open Meetings Act

An announcement was made of the location of the posted copy of the Open Meetings Act for public reference.

Agenda Item #3: Introductions

Introductions made: Krause was a practicum student at the library and wanted to observe a board meeting. Tomsu is the library's Teen Coordinator and was asked to report on programming later in the agenda.

Agenda Item #4: Approval of Minutes of January 8, 2015 Meeting

It was moved by Westlund and seconded by Frederick that the January 8, 2015 minutes be accepted as presented. Ayes: all. Nays: none. Motion carried.

Agenda Item #5: Library Director's Report

- a. Programs: an overview of programs was given including updates on programming for children including Holiday Bingo and a Valentine movie with a craft, teen programming with Media Club and a Homeschool drama production, and adult programming with a Seed Share event at the end of January and the various proctoring sessions.
- b. Employee updates were given.
- c. Library Meetings were reviewed including the Business Advisory Council for Project Search, the Three Rivers Library System meetings, the City's Book Club, Sarpy County's Wisdom of Women event at the library, and library Advocacy Day in Lincoln.
- d. General Library Information included the library hosting UNO's library students for the second year in a row. This class focuses on collection development in a library. The La Vista Library is used as a "living collection" the students can learn from.

Agenda Item #6: Circulation Report

Barcal distributed the circulation report as well as the monthly income report. The reports were discussed and accepted.

Agenda Item #7: Old Business

- a. Current and future grants were reviewed.

- i) 2015 YALSA/Best Buy Teen Tech Week Grant. Lindsey Tomsu requested \$1,000 for additional equipment for the Teen Media Club. The full amount was awarded.
- ii) Humanities Nebraska – Sandhill and Sandlots Program by Jeff Barnes on March 7<sup>th</sup> was awarded. This grant pays for mileage for the speaker.
- iii) Eastern Library System – Wiggly Wednesdays Active Play Program. \$500 was awarded for supplies to support equipment and accessories for active play programming.
- iv) Nebraska Library Commission – Scientific Methods for Young Children. \$800 was awarded for scientific programming.
- v) Created Equal: America's Civil Rights Struggle from Gilder Lehrman Institute of American History. The grant was awarded with a display in October 2015.

#### Agenda Item #8: New Business

- a. Teen Programming Division Discussion: middle or tweens and high school students. Tomsu presented findings concerning teens involved with the library's current programming: the majority of the teens involved over the summer were in 5<sup>th</sup> and 6<sup>th</sup> grades. There was a concern among board members that teens are being treated appropriately: the existing teens aren't being pushed out and the new, younger teens coming in are getting what they need/want. Discussion included a number of summer sessions for tweens and a pilot program where Teen Advisory Board (TAB) members would mentor younger teens through a TABLET group, seen as junior TAB members. Budget money was mentioned. Barcal stated the additional funding would be requested in the FY16 to support this programming. The board wanted to hear feedback from Assistant Director/Children's Services Librarian, Jodi Norton.
- b. City Comprehensive Plan Update. Russell provided handouts and encouraged all to attend the upcoming events featuring author Peter Kageyama. His books have been added to the library collection.
- c. Inventory 2015. A report was distributed comparing 2014 inventory to 2015. 2014 currently stands at 183 missing items and 2015 is 222 missing items. An update will be given in May.
- d. New Policy: Customer Complaint Policy. Barcal reported that other libraries have this policy within the library's collection development policy. Barcal will continue to review and provide a recommendation for La Vista's policy in May.
- e. New Policy: Staff Development Policy: Barcal distributed a draft of the policy which is reflective of the City's Personnel Manual. This policy will be revisited in May for discussion and possible approval.

#### Agenda Item #9: Comments from the Floor

There were no comments from the floor.

#### Agenda Item #10: Comments from the Board

Russell liked the idea of "flex programming" for teens as well as Hoang. Hoang associated it to girl scouts with an optional aspect: if you'd like to participate in the tween programming, you would be able but if you'd prefer the teen programming that would be open to you as well.

There was a motion by Frederick and second by Hoang to adjourn the meeting at 6:18 p.m.

The next meeting is scheduled for May 14<sup>th</sup>, 2015 at 5:30 p.m. at the La Vista Public Library, Conference Room #142.

City of La Vista  
Park & Recreation Advisory Committee Minutes  
March 18, 2015

A meeting of the Park and Recreation Advisory Committee for the City of LaVista convened in open and public session at 7:00 p.m. on March 18, 2015. Present was Recreation Director Scott Stopak, Asst. Recreation Director David Karlson, Program Coordinators Ryan South and Rich Carstensen, Golf Course Services Manager Denny Dinan; and from Parks Foreman Jeff Thornburg. Advisory Board Members presents were Chairperson Pat Lodes, Members Greg Johnson and Jeff Kupfer. Absent was Member Joe Juarez.

A notice of the meeting was given in advance thereof by publication in the Papillion Times on March 11, 2015. Simultaneously given to the members of the Park and Recreation Advisory Committee and a copy of their acknowledgment of receipt of the notice are attached to the minutes. Availability of the agenda was communicated in the advance notice to the members of the Park and Recreation Advisory Committee of this meeting. All proceedings hereafter were taken while the convened meeting was open to attendance of the public. Further, all the subjects included in said proceedings were contained in the agenda for inspection within ten working days after said meeting, prior to the convened meeting of said body.

CALL TO ORDER

Director Stopak called the meeting to order.

Stopak led the audience in the Pledge of Allegiance.

Stopak made an announcement of the location of the posted copy of the Open Meetings Act for public reference and read the Emergency Procedures Statement.

A. CONSENT AGENDA

Director Stopak asked for a motion to approve the Consent Agenda. Motion made by Member Kupfer. Seconded by Member Johnson. Motion carried.

REPORTS FROM RECREATION DIRECTOR AND STAFF

Director Stopak stated that the Comprehensive Plan "Look Out La Vista" is in full swing. There is an informational booth up in the Community Center and Library, with an informational kiosk and fact sheets available. The kiosk has an iPad which has the information about the Comprehensive Plan and events coming up, plus the first of several surveys for the public. The City wants as much community involvement as possible.

Stopak also reported that the Papillion-La Vista High School has expressed interest in utilizing the fields at City Park (78<sup>th</sup> & Josephine) as their home field for the Papillion-La Vista Monarchs Softball team. The school district would be funding the remodeling of the fields (one for games, one for practice). Additional information to follow as it becomes available.

Stopak said there would be a special meeting (date and time to be announced) where the public would be able to hear what is planned such as lights, etc., and how it will impact those that live near the fields.

Member Kupfer asked Stopak if they would get any information beforehand? Stopak said yes, they would get the information for the meeting in their packets as usual.

Program Coordinator Ryan South reported on Youth and Adult sports.

Women's Volleyball is in week 10. Their season will end on April 1st.



Adult Softball The registration deadline is March 21 or until leagues are full. The season will tentatively begin on April 12th.

Youth Basketball League teams are currently in tournament play. The 3/4 grade teams will end their season on March 21<sup>st</sup>. The 5-8 grade teams are finished.

3 Year Old Soccer Clinic season will begin on April 4th.

La Vista 4/5 Youth Soccer Academy & 6/7 Youth Soccer League registration is currently open with a registration deadline of March 28<sup>th</sup>. The season will begin on April 14<sup>th</sup>, and will last 5 weeks.

Spring Flag Football League will begin their season on April 11th. We are currently forming teams and will have over 65 kids participating in the spring season.

Youth Baseball for age's 7-12 will begin their season in April. We have 75 kids participating this season and are up two teams from last year. This season we have two 7/8 Pinto teams, two 9/10 Mustang teams and two 11/12 Bronco teams.

Youth Softball for age's 7-18 registration is open until March 21st. All of our youth softball teams will play in the Rainbow Softball League again this season.

Youth Coed T-Ball registration is currently open with a deadline of May 9th. This will once again be an in-house league for boys and girls ages 5 & 6. They will begin practicing in late May and start games in June.

Assistant Director David Karlson discussed the Cookie Decorating and Story time on Thursday, February 12<sup>th</sup>. We had 30 kids and 18 adults participate. For the Discover Series program, we had Creative Play (Physical Education) this month. This is a program for home schooled children, and 21 preschoolers and 23 kindergarten thru 4<sup>th</sup> graders attended. The Discovery Series for Art will be on Thursday.

Program Coordinator Rich Carstensen reported that Monday, March 9<sup>th</sup>, Joe Blackstand from Right at Home Health Care called Bingo and brought treats and prizes for the seniors. Today, we had our annual St. Patrick's Day luncheon. Hy-Vee catered the lunch of corned beef, cabbage, carrots and potatoes. After lunch, the group was entertained by Johnny Ray Gomez. Wednesday, March 25<sup>th</sup> Tim Javorski from Merry Makers will perform, and on Wednesday, March 30<sup>th</sup>, the seniors are going to the movies. April 13<sup>th</sup> we are going to Corrigan for lunch and entertainment.

Golf Course Services Manager Dinan reported on the La Vista Falls Golf Course for February, 2015:

February 2015 rounds = 2 (-57 rounds from February 2014)

February 2014 rounds = 59

Fiscal year 2014/15 rounds = 2,350 (+501 rounds from fiscal year 2013/14)

Fiscal year 2013/14 rounds = 1,849

February was a very cold month with 8" of snow on February 1st and another 3" on February 4th. The course was snow covered and it was cold throughout the entire month.

League registrations have begun and calls are coming in about golf outings. Currently, we have one outing set up for June 13th consisting of 20 golfers playing 18 holes.

Dinan also reported that extensive research had been done regarding offering a new activity called FootGolf. We are now going to offer this new activity on Mondays and Wednesday from 1:00-4:00 p.m. and Sundays from 5:00 p.m. until dark. FootGolf is a combination of the popular sports of soccer and golf. It is played with a regulation #5 soccer ball at a golf facility on shortened holes with 21" diameter cups. The rules largely correspond with the rules of golf. Fees will be \$11 for adults, Children \$8.50. Carts will be \$7.00 and if you want to rent a ball it will be \$3.00. You can bring your own ball.

Chairperson Lodes asked if the course would be the same as in golf? Dinan said it will basically be the same, but the hazards will be taken out of play such as the creek, pond, etc.

#### COMMENTS FROM THE FLOOR

None.

#### COMMENTS FROM COMMITTEE MEMBERS

Member Johnson asked why the revenue fluctuates from month to month on the Revenue/Traffic report from the Recreation Dept. Stopak stated it was because there had been a lot of registrations for spring sports, and that certain times of the year it would be that way.

Director Stopak made a motion to adjourn. Seconded by Chairperson Lodes. Motion carried. Adjourned at 7:32 p.m.



CITY OF LA VISTA  
8116 PARK VIEW BOULEVARD  
LA VISTA, NE 68128  
P: (402) 331-4343

A-5

COPY

PLANNING COMMISSION MINUTES  
MARCH 19, 2015-7:00 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, March 19th, in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman John Gahan called the meeting to order at 7:00 p.m. with the following members present: Mike Krzywicki, Gayle Malmquist, John Gahan, Mike Circo, Kevin Wetuski, Tom Miller, Kathleen Alexander, and Jackie Hill. Members absent were: Harold Sargus. Also in attendance were Christopher Solberg, City Planner; Meghan Engberg, Permit Technician; and John Kottmann, City Engineer.

Legal notice of the public meeting and hearing were posted, distributed and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission. All proceedings shown were taken while the convened meeting was open to the attendance of the public.

**1. Call to Order**

The meeting was called to order by Chairman Gahan at 7:00 p.m. Copies of the agenda and staff reports were made available to the public. Gahan mentioned that due to the absence of a regular member, the alternate will be a voting member for the meeting.

**2. Approval of Meeting Minutes – February 19<sup>th</sup>, 2015**

*Hill* moved, seconded by *Malmquist* to approve the February 19th minutes as submitted. **Ayes:** *Krzywicki, Malmquist, Gahan, Wetuski, Circo, Miller, Hill, Alexander.* **Nays:** None. **Abstain:** None. **Absent:** *Sargus.* **Motion Carried. (8-0)**

**3. Old Business**

**A. Public Hearing for Amendment to Section 7.11 of the Zoning Ordinance-Wireless Communication Towers**

- i. **Staff Report:** Solberg states that staff has been working on this amendment for a while and have a draft ready that they are vetting up the changes. Stated that the changes have been pretty significant and is recommending a continuation of the public hearing to the April 16<sup>th</sup>
- ii. **Public Hearing:** Continued from February 19th meeting.
- iii. **Recommendation:** *Circo* moved, seconded by *Wetuski* to recommend continue the public hearing to the next meeting. **Ayes:** *Krzywicki, Malmquist, Gahan, Wetuski, Circo, Miller, Hill, Alexander.* **Nays:** None. **Abstain:** None. **Absent:** *Sargus.* **Motion Carried. (8-0)**

**B. Public Hearing for a Conditional Use Permit for Self-service Storage Facility-126<sup>th</sup> & West Giles Storage Facility**

- i. **Staff Report:** Solberg states that applicant, SGTS LLC, is requesting a conditional use, a replat, and has withdrawn the request for the rezoning of the property. Proposed use is for a self-storage facility with one office. Staff is recommending approval of the replat, as well as the conditional use permit, with the condition of satisfactory landscaping plans submitted and reviewed prior to City Council approval.
- ii. **Public Hearing Opened:** Miller moved, seconded by Malmquist to open the public hearing. **Ayes: Krzywicki, Malmquist, Gahan, Wetuski, Circo, Miller, Hill, Alexander. Nays: None. Abstain: None. Absent: Sargus. Motion Carried. (8-0)**

Matt Hubel from Schemmer, representing the applicant, talked about how property was originally platted in La Vista, but had accidentally platted a portion of Papillion as well. Client realized he had two lots instead of one and would have to develop over a jurisdictional boundary. They will be working closely with each jurisdiction, as they will be keeping it as one development, but over both jurisdictions.

Krzywicki asked about outdoor storage still being shown on the map.

Solberg stated that plans have not been rewritten since applicant removed rezoning request. Plans will be updated prior to going to City Council.

Hill asked about perimeter fencing around the property since it does butt up against the creek.

Hubel said that there will be a 6' or 8' fence. Owner will be responsible for cleanup. Stated there will be dumpsters and that placement and upkeep will be to responsibility of the owner to maintain.

Krzywicki asked if there has been any action on the environmental statements regarding the wetlands.

Hubel said that there will be a wetland study in the spring and will wait to apply for the building permit until after it has been conducted and okayed.

Krzywicki asked about there being adequate radiuses for emergency vehicles to get in.

Kottmann said that fire marshal has looked at plans.

Hill asked about how many parking spots there were going to be.

Hubel mentioned that there would only be 2 spots needed for the office, but will be installing eight.

- iii. **Public Hearing Closed:** Hill moved, seconded by Alexander to close the public hearing. **Ayes: Krzywicki, Malmquist, Gahan, Wetuski, Circo, Miller, Hill, Alexander. Nays: None. Abstain: None. Absent: Sargus. Motion Carried. (8-0).**
- iv. **Recommendation:** Krzywicki moved, seconded by Miller, to recommend council approve replat of location at 126<sup>th</sup> and West Giles. **Ayes: Krzywicki, Malmquist,**

*Gahan, Wetuski, Circo, Miller, Hill, Alexander. Nays: None. Abstain: None. Absent: Sargus. Motion Carried. (8-0).*

- v. **Recommendation:** *Krzywicki* moved, seconded by *Circo* to approve CUP with condition that satisfactory landscaping plan is approved prior to City Council review. **Ayes:** *Krzywicki, Malmquist, Gahan, Wetuski, Circo, Miller, Hill, Alexander. Nays: None. Abstain: None. Absent: Sargus. Motion Carried. (8-0).*

#### 4. New Business

##### A. Public Hearing for Amendments to Section 2.02, 5.13, and 5.14 of the Zoning Ordinance- Industrial Condominiums

- i. **Staff Report:** Solberg explained that staff has received a number of inquiries on the possibility of Industrial Condominiums, a use that is not currently in our ordinance. Staff feels that this does need to be added to the zoning ordinance and addressed efficiently. Staff has prepared revisions to the I-1 light industrial and I-2 heavy industrial zoning districts to provide for the use to be allowed through a conditional use permit. Staff recommends planning commission review the proposed changes and recommend approval to City Council.
- ii. **Public Hearing Opened:** *Malmquist* moved, seconded by *Hill* to open the public hearing. **Ayes:** *Krzywicki, Malmquist, Gahan, Wetuski, Circo, Miller, Hill, Alexander. Nays: None. Abstain: None. Absent: Sargus. Motion Carried. (8-0).*

Hill said that she looked up statutes from Omaha and Nebraska in regards to condominiums. Asked if this has been looked at Council and staff to make sure that nothing was missed. Also mentioned looking into multi-use condos as part of the Comprehensive Plan.

Solberg stated that they removed the specific relation to the statute because the old aspect that referred to the statute was wrong. The statutes have changed since so much from 2001 that they decided to remove that specific aspect. Staff felt that leaning too much on the statutes was not a good idea because of how much they change over the years. Solberg stated that they are looking into additional changes to the zoning ordinance for mix uses. He stated that they don't feel that they are set up for that. They want to address it through a specific district that allows for mixed uses and the related impact.

Hill asked if City Attorney has looked at the new definition.

Solberg stated that attorney looks at the definition before it goes to council. He will propose changes at that time if need be.

- iii. **Public Hearing Closed:** *Malmquist* moved, seconded by *Circo* to close the public hearing. **Ayes:** *Krzywicki, Malmquist, Gahan, Wetuski, Circo, Miller, Hill, Alexander. Nays: None. Abstain: None. Absent: Sargus. Motion Carried. (8-0).*
- iv. **Recommendation:** *Malmquist* moved, seconded by *Circo* to recommend approval to City Council. **Ayes:** *Krzywicki, Malmquist, Gahan, Wetuski, Circo, Miller, and Hill. Nays: Hill. Abstain: None. Absent: Sargus. Motion Carried. (7-1).*

**B. Public Hearing for Amendments to Sections 5.05, 5.10, and 5.11 of the Zoning Ordinance – Animal Specialty Services and Kennels**

- i. **Staff Report:** Solberg stated that through regular staff review of the Zoning Ordinance, it was concluded that amendments to the regulations were warranted. In consideration of the Animal Specialty Services, this use was commonly allowed within select commercial uses in communities nearby. Staff's review has concluded that the C-1 shopping center commercial and C-2 general commercial districts should allow for this use. Proposed amendments would allow for Animal Specialty Services, without dog runs, to be permitted within these two commercial districts. Animal Specialty Services with dog runs would be allowed in these districts with a conditional use permit. Staff is recommending an approval of the Kennels as an allowed use in the TA district to be removed and the overall package to City Council for approval.
- ii. **Public Hearing Opened:** *Malmquist* moved, seconded by *Hill*, to open the public hearing. **Ayes:** *Krzywicki, Malmquist, Gahan, Wetuski, Circo, Miller, Hill, Alexander.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Sargus.* **Motion Carried. (8-0).**

Kevin Irish, owner of the Paw Spa Pet Resort, is looking at opening up another facility in La Vista. The facility has pet grooming, daycare and boarding. Said that they came down to Solberg to find out what the best laid out plan would be and he recommended some changes to the verbology in order to allow them to open a facility in La Vista.

Malmquist asked if they had just recently been at the Sarpy County Planning Commission.

Irish said that they have been in Sarpy County for a little over 2 years. Said they are located between a child daycare and a Runza and have had no complaints in regards to the noise.

Malmquist asked if they were going to keep that operation there as well.

Irish said that they are, but wanting to open one here to cater to the Bellevue, Papillion and La Vista market.

Hill asked how many animals are there overnight.

Irish said that they currently have 107 dogs there overnight. He said that the building is 12,000 square feet with 6x9 rooms. There is an indoor pool for the dogs, as well as other amenities.

Hill asked about the security system.

Irish said that American Electronics Systems does there security. They have cameras everywhere and are notified if the temperature drops 5 degrees. They also have contact detectors on the glass. Mentioned that they have no overnight staff because it disturbs the dogs, but that they do have cameras set up.

Irish mentioned that the length of stay is anywhere from 1 hour up to 2 months, with the average being 2-3 days. They change the air about every 4 hours to prevent "Kennel Cough" and dog odors. They have won several awards.

Krzywicki asked if the owner felt if there was any reason for them to look at doing anything else other than boarding.

Irish said that they do grooming, daycare and boarding, but that the boarding is the key element to their business.

Krzywicki said that when looking at the permitted uses, the only difference is the boarding and the outdoor exercise. Said that to him the boarding part isn't any different than a pet shop since they are also boarded overnight. Asked why specialty services are restricted on having pets overnight, but pet stores aren't.

Solberg stated that since there are different uses for pet shops and pet hospitals, the regulations are applied differently than an animal specialty services because of the need for a dog run.

Krzywicki mentioned having pet shops moved to a conditional use permit because they will have a need to let the dogs outside to exercise as well.

Hill asked if the facility was exclusive to canines.

Irish said yes.

Hill mentions that animal specialties services are not defined as to what animals are allowed. Said that she would like to see definition more detailed.

Solberg said that definition does not limit type of pet, but can be amended to domesticated pets. Also need to change definition to clean up the overnight boarding verbiage.

Krzywicki asked if changes to recommendation should be done at once, or if they should have staff review it first.

Solberg stated that it was the commission's decision on how they wanted to proceed.

- iii. **Public Hearing Closed:** *Malmquist* moved, seconded by *Alexander* to close public hearing. **Ayes:** *Krzywicki, Malmquist, Gahan, Wetuski, Circo, Miller, Hill, Alexander*. **Nays:** *None*. **Abstain:** *None*. **Absent:** *Sargus*. **Motion Carried. (8-0).**

Solberg mentioned that he would have to meet with the City Attorney to see how to proceed with changing the definitions, since they were not on the agenda, but were discussed during the public hearing.

Krzywicki mentioned voting on the recommendation that was originally presented and reviewing other items at a different time. Commission agreed.

- iv. **Recommendation:** *Malmquist* moved, seconded by *Krzywicki* to recommend the proposed changes removing kennels and stables from conditional use, adding animal specialty services without runs as a permitted use in both districts, and adding animal specialty services, including the boarding of animals and exercise and a permitted conditional use. **Ayes:** *Krzywicki, Malmquist, Gahan, Wetuski, Circo, Miller, and Alexander*. **Nays:** *Hill*. **Abstain:** *None*. **Absent:** *Sargus*. **Motion Carried. (7-1).**

## **5. Comments from the Floor**

None.

## **6. Comments from Planning Commission**

Wetuski mentioned that there was an article in the paper that the Bellevue Planning Commission has had complaints about the instructions for people coming up to talk and being instructed to refrain from rude and hostile remarks. They have had residents get the ALCU involved about freedom of speech and being able to voice their opinion however they want. Asked if it was something that needed to be looked at and addressed.

Solberg said that staff can look at the article and see what effects it has had, as well as talking to Bellevue staff to see what changes they have made. Said that he will update commission on that.

Gahan mentioned having a uniformed police officer at the meetings.

Solberg said that policy is for officers to be at meetings when it is requested, normally when it was felt that meetings were going to be contentious.

Solberg mentioned possibly simplifying the opening remarks.

Hill asked Solberg how the NPZA conference went.

Solberg mentioned that the conference went well. Said that he will have Sargus talk about his experience at the next meeting.

Engberg mentioned that conference was good and was able to get a basic understanding of what goes into planning and a comprehensive plan.

## **8. Comments from Staff**

Solberg mentioned that the kickoff event for the comprehensive plan is March 30<sup>th</sup>. They have a speaker by the name of Peter Kageyama coming into to talk about getting citizens involved with their city. There is also a half day event on March 31<sup>st</sup> with Peter on getting people involved and that towards the end of the conference, he will award \$500 to the group that comes up with the best idea to make La Vista better.

Solberg mentioned the Photo Voice contest that is going on as well. Allows citizens to show what they love about La Vista. The winner will be announced at Salute to Summer.

Solberg said that stakeholders will be contacted in a week or two in regards to meetings. They will be taking place the second week of April. These allow them to come in and discuss what they would like to see in the comprehensive plan.

Solberg mentioned that consultants will be at Salute to Summer and that there will be a visioning event in June. Consultants will also be at the stakeholder meetings to dive into working with the staff and citizens on the comprehensive plan.



**9. Adjournment**

*Circo* moved, seconded by *Wetuski* to adjourn. **Ayes: Krzywicki, Malmquist, Gahan, Wetuski, Circo, Miller, Hill, Alexander. Nays: None. Abstain: None. Absent: Sargus. Motion Carried. (8-0).**

Reviewed by Planning Commission:

\_\_\_\_\_  
Planning Commission Secretary

\_\_\_\_\_  
Planning Commission Chairperson

\_\_\_\_\_  
Approval Date

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City of La Vista

Park & Recreation Advisory Committee Minutes

April 8, 2015

A meeting of the Park and Recreation Advisory Committee for the City of LaVista convened in open and public session at 7:00 p.m. on April 8, 2015. Present was Assistant City Administrator Rita Ramirez, Recreation Director Scott Stopak, Asst. Recreation Director David Karlson, Program Coordinators Ryan South and Rich Carstensen, Golf Course Services Manager Denny Dinan, Public Works Director Joe Soucie, Parks Superintendent Brian Lukasiewicz, and Parks Foreman Rob George. Advisory Board Members presents were Chairperson Pat Lodes, Members Jeff Kupfer and Greg Johnson. Absent was Member Joe Juarez.

A notice of the meeting was given in advance thereof by publication in the Papillion Times on April 1, 2015. Simultaneously given to the members of the Park and Recreation Advisory Committee and a copy of their acknowledgment of receipt of the notice are attached to the minutes. Availability of the agenda was communicated in the advance notice to the members of the Park and Recreation Advisory Committee of this meeting. All proceedings hereafter were taken while the convened meeting was open to attendance of the public. Further, all the subjects included in said proceedings were contained in the agenda for inspection within ten working days after said meeting, prior to the convened meeting of said body.

CALL TO ORDER

Director Stopak called the meeting to order.

Stopak led the audience in the Pledge of Allegiance.

Stopak made an announcement of the location of the posted copy of the Open Meetings Act for public reference and read the Emergency Procedures Statement.

A. CONSENT AGENDA

Director Stopak asked for a motion to approve the Consent Agenda. Motion made by Member Johnson. Seconded by Member Kupfer. Motion carried.

REPORTS FROM RECREATION DIRECTOR AND STAFF

Assistant Director David Karlson reported on special events that were held in the month of March. The monthly Preschool Playtime Craft Day was held Tuesday March 10<sup>th</sup>. 16 preschoolers and 18 parents attended and made Leprechauns from green solo cups and cut outs.

On Thursday, March 12<sup>th</sup> the second installment of the Discovery Series for home schooled children took place. 18 kindergarten through 4<sup>th</sup> grade participated in a variety of relay races and games while 14 of their younger siblings, along with 11 parents, participated in pre-school playtime.

The next 2 Thursday's, March 19<sup>th</sup> and the 26<sup>th</sup>, the Discovery Series brought out the kids' creative side with the "Discover Art Paper Mache Project", which 23 kids from kindergarten through 4<sup>th</sup> grade participated in.

The Recreation Department and La Vista Public Library teamed up on Monday, March 30 from 5-7:00 p.m. at Southwind Park for the second "Family Storybook Walk". Over 90 participants strolled through the park while reading pages of a book that was posted on fourteen sign posts. When a family completed reading each page, the children would complete a task related to the story and then receive a small prize.

Saturday, April 4<sup>th</sup> was the annual City of La Vista Easter Egg Hunt, held at the La Vista Sports Complex. This year, families were asked to donate canned food for the Tri-City Food Bank. We had 2 pickup truck loads, plus \$250 cash to deliver to the food bank! 17,000 eggs were tossed out for the kids whose ages ranged from toddler to 10years old. Over a thousand people attended this year's event, and everything

ran smoothly with the help of many volunteers including Werner Enterprises (15 volunteers), Cub Scouts, Sam's Club (20 volunteers), and also tons of help from our Public Works Dept! Sam's Club also gave a cash donation, and Martial Arts International (Bellevue) donated 5,000 filled eggs.

Golf Course Services Manager Dinan reported on the La Vista Falls Golf Course for February, 2015:

March 2015 rounds = 1,217 (+460 rounds from March 2014)  
March 2014 rounds = 757

Fiscal year 2014/15 rounds through March = 3,567 (+961 rounds from fiscal year 13/14)  
Fiscal year 2013/14 rounds through March = 2,606

March started off as a very slow month with no golfers for the first 5 days. On March 6<sup>th</sup>, it hit 62 degrees and from then on we had the 2<sup>nd</sup> best March over the past 14 years.

League registration forms are coming in and several golf outings as well. We also have the clubhouse rented for a graduation party scheduled.

We have sold 152 Daily Deals (2 rounds for the price 1 coupon) in the Omaha World Herald. This is an increase from the 105 coupons we sold last year.

We have received all our FootGolf equipment, and the layout of the course and hole placement has been designed. Hole installation and yardage distance should be determined sometime this week.

We are looking to begin FootGolf in late April with an "official" FootGolf Kick Off in early May.

Program Coordinator Rich Carstensen reported on activities for the Senior Center. Tai Chi classes are held at the Center on Monday's and Thursday's. The La Vista Center actually has one of the largest classes around the area, with an average of 20-25 people attending each class. Funding from ENOA is ending for the summer months, but we will be able to keep the class throughout the summer with a donation received from the Knights of Columbus. Seniors only have to pay \$1 per week to participate.

Our drop-in Quilting Group still meets on Wednesday's at 9:00 a.m. to approximately 11:30 a.m. They work on a variety of their own projects which include quilting, embroidery and crocheting. Sharon Bailey, our "resident quilter" donates many cooperative quilts and quilting items (such as hot pads) to local charities, fire departments, etc. She is now making some to be donated to the Open Door Mission.

April 1<sup>st</sup> we had a Kick Off Walking Challenge Party in cooperation with the Papillion Senior Center. The Centers are challenging each other for 6 weeks beginning April 1<sup>st</sup> and ending May 15<sup>th</sup>. The group that walks the most minutes wins the "Money Pot", and the losing Senior Center has to treat the winning seniors to a luncheon. We all agree however, that both groups are winners because they are getting involved and getting exercise by walking! They'll all be in shape for the summer!

April 6<sup>th</sup> the Methodist Diabetes Mobile Center came to do a number of tests for the seniors at no cost to them. Cholesterol checks were done for \$5. Also, City employees were also encouraged to come over and get testing done.

Friday, April 10<sup>th</sup> we will be having a Black Jack tournament, and Monday, April 13<sup>th</sup> we will be going to Corrigan Senior Center after lunch for their "Entertainment Extravaganza" with Billy Troy.

Tuesday, April 14<sup>th</sup> seniors are planning to attend the "Coffee and Conversation" at the La Vista Community Center. This is one of the events for public involvement for the La Vista Comprehensive Plan.

Tuesday, April 21<sup>st</sup> we will be going to Stella's Café in Bellevue. On Wednesday, April 22<sup>nd</sup>, Johnny Ray Gomez will once again be entertaining the seniors through Merry Makers. He is definitely one of the favorite performers! Wednesday, April 29<sup>th</sup> we will be going to the movies.

We will be planning activities for the month of May and to start the month out we will have Merry Makers "Hillbilly Hal" entertain after lunch.

Carstensen reported the Spring Kite Festival will be held on Sunday, May 3<sup>rd</sup> at the La Vista Soccer Complex from 12:00 noon to 5:00 p.m. We encourage attendees to bring their own kite to fly. There will also be can Kite Candy Drop during the festival.

Also, the "Salute to Summer" is coming up, and on Thursday, May 21<sup>st</sup> Hot Wheels Races will be held, with registrations at 7:00 p.m. and races beginning at 7:15 p.m.

Program Coordinator Ryan South reported on Youth and Adult sports.

Adult Softball will begin their season on April 12<sup>th</sup>. We have over 50 teams playing in our spring/summer league.

La Vista 4/5 Youth Soccer Academy will have their first session on April 14<sup>th</sup>. We have over 66 kids participating in the academy this spring. They will play on Tuesdays and Saturdays.

La Vista 6/7 Youth Soccer League will have their first session on April 14<sup>th</sup>. We have over 57 kids participating in the league this spring. They will play on Tuesdays with the academy and play league games on Saturdays.

3 Year Old Soccer Clinic had their first session on April 4<sup>th</sup>. Five, one-hour sessions, will be held on Saturday mornings. Pat Lodes is coaching/teaching the group, which includes working with the parents.

Spring Flag Football League will start games on April 11<sup>th</sup>. Games will be held on Saturdays at the Sports Complex. We have 66 kids and 6 teams participating in the spring season.

Youth Baseball for ages 7 – 12 started practicing on April 6<sup>th</sup>. They will start games on May 2<sup>nd</sup>.

Youth Softball for ages 7-18 will play in the Rainbow Softball League again this season. This season we have one 7/8 Pinto, one 9/10 Mustang, one 11/12 Bronco, and one 18U team playing in the league. Teams will begin practicing on April 13<sup>th</sup> and will start league games on May 8<sup>th</sup>.

Youth Coed T-Ball registration is currently open with a deadline of May 9<sup>th</sup>. This will once again be an in-house league for boys and girls ages 5 & 6. They will begin practicing in late May and start games in June.

Director Stopak informed the Board that this weekend, Saturday, April 10<sup>th</sup> and Sunday, April 11<sup>th</sup> from 10:00 a.m. to 5:00 p.m., the Center will be the hosts for the *Omaha Bead Affair*, an event for jewelry makers, designers and hobbyists of all skill levels. The 20+ vendors and attendees will be from all over the United States. The Center will be closed except the fitness room, racquetball and of course the front desk for registrations, etc. Everyone is welcome. There is a \$3 door fee, and there is a \$1 coupon at the front desk or online at [www.omahabeadaffair.com](http://www.omahabeadaffair.com).

Stopak also discussed the past and future events and meetings regarding the "Look out La Vista" Comprehensive Plan, and gave the Board a current list of event times in which they are invited to attend. The next meetings will be "Coffee and Conversations" beginning Monday, April 13, 2015 at 6:00 p.m. at the La Vista Library.

A. Discussion Interlocal Agreement Sarpy County School District 0027 and City of La Vista

Assistant City Administrator Rita Ramirez outlined the proposal of the Papillion-La Vista School District for an interlocal agreement to use City Park, 78<sup>th</sup> & Josephine Streets., as the home field for the Papillion-La Vista Monarchs High School Softball team, whereas the school district would provide upgrades to two fields at City Park. One would be utilized as a practice field, the other a game field. The Advisory Board is being asked to make a recommendation to the City Council for the agreement; and, to give residents who live near the fields to voice their opinions about the subject. Letters were sent to residents and owners of approximately 185 properties that are in close proximity to City Park. Two residents attended the meeting. City Council will make a decision at the next Council meeting on Tuesday, April 21, 2015.

A discussion was held on what the school district will be providing. They will be moving the fences, erecting a press box, and installing lights. Member Johnson asked about the maintenance that would occur because of this, and how much more it would cost the City. Public Works Director explained that these fields are taken care of anyway, so it would be a matter of a little more electricity and prepping the fields during the day. If there is more than one game, the school would take care of the fields in between. Soucie also reminded the Board that there used to be lights on the field before the last renovation, and that the school would be making improvements that the City would not do because of cost. Stopak also stated that the concessions would stay with the City, which gains 10% of the profits from the concessionaire that is contracted with the City.

A discussion was held with the two citizens in attendance, Phyllis Masek and Sharon Boldt, who both reside near the park. They had concerns with parking on the street and traffic congestion in the area and how possible damage to property would be handled. Doug Lewis, Vice Principal of Papillion-La Vista High School, said there would be someone from the school in attendance at all games, and they would be making sure that busses are dropping off in the correct areas, and he and board members agreed that normally in high school softball, the balls are not hit far enough to do damage to one of the houses or cars in their driveways. The busses would not be sitting at the park during the games. The plan is for them to park at La Vista West Elementary until the game is over.

COMMENTS FROM THE FLOOR

None.

COMMENTS FROM COMMITTEE MEMBERS

Member Kupfer said that La Vista residents have never felt that they have had much ownership in the school, and this would be a good thing for La Vista to have more of an active involvement, and make people feel like they are really part of the school.

Chairperson Lodes stated that he thought it was a great idea, and he was excited that people from other areas would be utilizing the City of La Vista to play softball, and then possibly staying to shop and/or eat.

Director Stopak asked for a recommendation of approval for the interlocal agreement with the Papillion-La Vista School District, and the City of La Vista for utilizing City Park, 78<sup>th</sup> & Josephine. Chairperson Lodes motioned for the approval of the interlocal agreement, seconded by Member Kupfer. All voting aye: Members Johnson, Kupfer, Lodes. Absent: Juarez

Director Stopak asked for a motion to adjourn. Member Kupfer motioned for adjournment. Seconded by Chairperson Lodes. Motion carried. Adjourned at 8:18 p.m.



CITY OF LAVISTA  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES  
 AND CHANGES IN FUND BALANCE-PROPRIETARY FUNDS**  
**BUDGET AND ACTUAL**  
 For the Four months ended January 31, 2015  
 34% of the Fiscal Year

	Sewer Fund				Golf Course Fund					
	Budget	MTD Actual	YTD Actual	Over (Under) Budget	% of Budget Used	Budget	MTD Actual	YTD Actual	Over (Under) Budget	% of Budget Used
<b>REVENUES</b>										
User fees	\$ 3,070,956	\$ 260,280	\$ 909,812	\$ (2,161,144)	30%	\$ 188,000	\$ 3,898	\$ 20,755	\$ (167,246)	11%
Service charge and hook-up fees	100,000	24,757	197,831	97,831	198%	-	379	5,221	(29,279)	15%
Merchandise sales	-	-	-	-	0%	34,500	-	-	-	-
Grant	24,082	-	22,918	(1,164)	-	-	-	-	-	-
Miscellaneous	200	39	150	(50)	75%	300	4	90	(210)	30%
<b>Total Revenues</b>	<u>3,195,238</u>	<u>285,075</u>	<u>1,130,711</u>	<u>(2,064,527)</u>	<u>35%</u>	<u>222,800</u>	<u>4,282</u>	<u>26,065</u>	<u>(196,525)</u>	<u>12%</u>
<b>EXPENDITURES</b>										
General Administrative	778,176	86,839	245,860	(532,316)	32%	218,431	15,539	53,443	(164,988)	24%
Cost of merchandise sold	-	-	-	-	-	23,044	-	496	(22,548)	2%
Maintenance	2,430,703	13,103	417,103	(2,013,600)	17%	92,553	5,508	19,250	(73,403)	21%
Production and distribution	-	-	-	-	-	-	-	-	-	-
Capital Outlay	60,000	-	-	(60,000)	0%	-	-	-	-	0%
Debt Service:	-	-	-	-	-	-	-	-	-	-
Principal	-	-	-	-	-	-	-	-	-	0%
Interest	-	-	-	-	-	-	-	-	-	0%
<b>Total Expenditures</b>	<u>3,268,879</u>	<u>99,942</u>	<u>662,963</u>	<u>(2,605,916)</u>	<u>20%</u>	<u>334,128</u>	<u>21,047</u>	<u>73,189</u>	<u>(260,939)</u>	<u>22%</u>
<b>OPERATING INCOME (LOSS)</b>	(73,641)	185,133	467,747	(541,388)	-	(111,328)	(16,765)	(47,124)	64,414	-
<b>NON-OPERATING REVENUE (EXPENSE)</b>										
Interest income	3,000	44	973	(2,027)	32%	450	12	52	(398)	12%
<b>INCOME (LOSS) BEFORE OPERATING TRANSFERS</b>	<u>3,000</u>	<u>44</u>	<u>973</u>	<u>(2,027)</u>	<u>32%</u>	<u>450</u>	<u>12</u>	<u>52</u>	<u>(398)</u>	<u>12%</u>
<b>OTHER FINANCING SOURCES (USES)</b>										
Operating transfers in (out)	(70,641)	185,177	468,720	(539,361)	-	(110,878)	(16,754)	(47,072)	63,806	-
<b>NET INCOME (LOSS)</b>	<u>(28,000)</u>	<u>-</u>	<u>-</u>	<u>28,000</u>	<u>-</u>	<u>125,000</u>	<u>-</u>	<u>-</u>	<u>(125,000)</u>	<u>0%</u>
	\$ (98,641)	\$ 185,177	\$ 468,720	\$ (567,361)	-	\$ 14,122	\$ (16,754)	\$ (47,072)	\$ 61,194	-
<b>NET ASSETS, Beginning of the year</b>			6,350,594					456,694		
<b>NET ASSETS, End of the year</b>			<u>6,819,314</u>					<u>409,622</u>		

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
APRIL 21, 2015 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
APPROVAL OF BOND - CITY TREASURER	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

**SYNOPSIS**

A resolution has been prepared to approve the official bond of the City Treasurer.

**FISCAL IMPACT**

The FY 14/15 General Fund Budget provides funding for bonds for elected and appointed officials.

**RECOMMENDATION**

Approval.

**BACKGROUND**

Changes to State Statute and the La Vista Municipal Code outlines bonding requirements for elected and appointed officials. The changes to State Statute in March 2007 and changes to the La Vista Municipal Code in October 2008 allow for coverage of elected and appointed officials under a blanket bond. The Treasurer is excluded from the Blanket Bond by the Surety Company and therefore must continue to maintain an individual bond.

At the City Council meeting of March 17, 2015 the Council approved the Mayor's appointment of a new City Treasurer (Finance Director) effective April 13, 2015. The bond from the previous Treasurer has been cancelled and this new bond will replace that.



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING OFFICIAL BOND OF CITY TREASURER.

WHEREAS, Section 16-318 of the Nebraska Revised Statutes, as amended, and Section 31.21 of the City of La Vista Municipal Code ("Code") require that the City Treasurer give a bond in favor of the City in the amount of not less than \$25,000.00 and subject to certain conditions, including the faithful performance of official duties; the premiums of which shall be paid by the City and have been included in the budget of the City adopted for fiscal year 2014-2015; and

WHEREAS, the Statutes and Code specify requirements of bonds when bonds are required; and

WHEREAS, a bond, number 71652885, issued by Western Surety Company as surety ("Bond") has been issued and has been executed by the City Treasurer as principal and by said surety and has been submitted to the City Clerk; and

WHEREAS, the Bond has been presented by the City Clerk at this meeting for approval by the Mayor and City Council; and

WHEREAS, the submitted Bond is in joint and several form, payable to the City of La Vista, and in such amount(s) as have been fixed by Statutes or the City Council; and

WHEREAS, the Bond has been executed by the principal and the surety and the required oaths have been endorsed thereon; and

WHEREAS, the corporate surety of the Bond is legally authorized to transact business in the State of Nebraska; and

WHEREAS, the Bond obligates the principal and surety named therein for the faithful performance of the duties of the office and position held by the City Treasurer; and

WHEREAS, all applicable legal requirements with respect to said Bond have been satisfied.

NOW, THEREFORE, BE IT RESOLVED, that, the Mayor and City Council have reviewed the penalty amounts set forth in the Bond and hereby set, fix and approve said amount as the required penalty pursuant to Neb. Rev. Stat. Section 16-318 and any other applicable law.

BE IT FURTHER RESOLVED, that, the recitals above are hereby adopted and approved and shall be and constitute findings and determinations of the Mayor and City Council for purposes of this Resolution; the penalty amounts set forth in the Bond are hereby adopted and approved; and the Mayor and City Council find and determine that the Bond for the City Treasurer submitted at this meeting satisfies all requirements of applicable law.

BE IT FURTHER RESOLVED, that said Bond, and the surety named therein, are hereby approved, and the Mayor is hereby authorized to endorse approval of the City Council and surety in writing on the Bond or by attachment incorporating or incorporated into said Bond by reference, which shall be and constitute endorsement of approval upon said Bond.

BE IT FURTHER RESOLVED that the City shall pay the premiums for said Bond (except for any premium that is voluntarily paid by any other person), including all renewal premiums necessary, if any, to continue said bond in effect during the term of office of the Treasurer.

BE IT FURTHER RESOLVED, that the Mayor and/or City Clerk are authorized to take any other action that is necessary or appropriate to carry out the actions approved herein.

PASSED AND APPROVED THIS 21ST DAY OF APRIL, 2015.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

Nebraska



Effective Date: April 13, 2015

# Western Surety Company

## OFFICIAL BOND AND OATH

KNOW ALL PERSONS BY THESE PRESENTS:

Bond No. 71652885

That we, Cynthia C. Miserez,

as Principal, and WESTERN SURETY COMPANY, a corporation duly licensed to do business in the State of Nebraska, as Surety, are held and firmly bound, jointly and severally, unto the City of La Vista, and State of Nebraska, in the penal sum of Twenty-Five Thousand and 00/100 DOLLARS (\$ 25,000.00).

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the above bounden Principal has been  appointed  elected Treasurer in and for City of La Vista, State of Nebraska.

Now, if the said Principal shall faithfully discharge all the duties of his said office as required by law, then this bond to be void, otherwise to remain in full force and effect until the 31st day of December, 2016.

When the stated term of this bond shall be reduced to a shorter term by reason of the death, resignation or removal from office of the Principal for a cause not imposing liability on this bond, the Surety shall refund to the Obligor the unearned portion of the premium so paid for the term of this bond, subject to a reasonable minimum premium charge.

Dated this 2nd day of April, 2015.

Principal

WESTERN SURETY COMPANY

By Paul T. Bruff  
Paul T. Bruff, Vice President

A-9

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE SALE AND CONSUMPTION OF BEER AT A CAR SHOW IN THE PARKING LOT OF SWIZZLE STIX LOUNGE INC. 7101 S 84<sup>TH</sup> STREET ON MAY 22, 2015, IN CONJUNCTION WITH THE ANNUAL SALUTE TO SUMMER CELEBRATION.

WHEREAS, Swizzle Stix Lounge Inc., 7101 S 84<sup>th</sup> Street is located within the City of La Vista; and

WHEREAS, Swizzle Stix Lounge Inc. has requested approval of a Special Designated Permit to sell and serve beer at a car show in the parking lot on May 22, 2015, in conjunction with the annual Salute to Summer celebration.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the City of La Vista to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to sell and serve beer in the parking lot of Swizzle Stix Lounge Inc., 7101 S 84<sup>th</sup> Street on May 22, 2015, in conjunction with the annual Salute to Summer celebration.

PASSED AND APPROVED THIS 21ST DAY OF APRIL, 2015.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk



**LA VISTA POLICE DEPARTMENT  
INTER-DEPARTMENT MEMO**

---

**TO:** Pam Buethe, City Clerk

**FROM:** Robert S. Lausten, Police Chief

**DATE:** 04-16-15

**RE:** Application for SDL – Swizzle Sticks

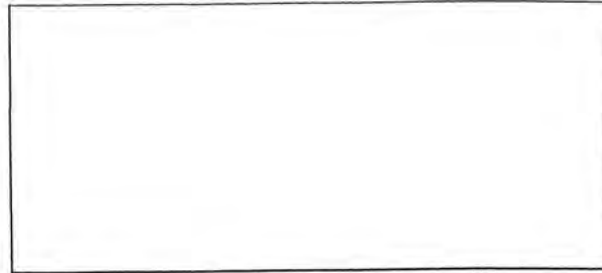
**CC:**

---

**The SDL application has been reviewed and there are no public safety concerns. Approval is recommended.**

**APPLICATION FOR SPECIAL DESIGNATED LICENSE**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: www.lcc.ne.gov/



DO YOU NEED POSTERS? YES  NO

RETAIL LICENSE HOLDERS

NON PROFIT APPLICANTS

Non Profit Status (check one that best applies)

Municipal  Political  Fine Arts  Fraternal  Religious  Charitable  Public Service

**COMPLETE ALL QUESTIONS**

1. Type of alcohol to be served and/or consumed: Beer  Wine  Distilled Spirits

2. Liquor license number and class (i.e. C-55441)  
(If you're a nonprofit organization leave blank) 041459 Class I

3. Licensee name (last, first,), corporate name or limited liability company (LLC) name  
(As it reads on your liquor license)

NAME: Swizzle Stix Lounge Inc.

ADDRESS: 7101 South 84th St.

CITY La Vista ZIP 68128

4. Location where event will be held; name, address, city, county, zip code

BUILDING NAME La Vista Keno

ADDRESS: 7101 S. 84th St CITY La Vista

ZIP 68128 COUNTY and COUNTY# Sarpy 59

a. Is this location within the city/village limits? YES  NO

b. Is this location within the 150' of church, school, hospital or home for aged/indigent or for veterans and/or wives? YES  NO

c. Is this location within 300' of any university or college campus? YES  NO

5. Date(s) and Time(s) of event (no more than six (6) **consecutive** days on one application)

Date <u>5/22/2015</u>	Date	Date	Date	Date	Date
<b>Hours</b>	<b>Hours</b>	<b>Hours</b>	<b>Hours</b>	<b>Hours</b>	<b>Hours</b>
From <u>3:00 pm</u>	From	From	From	From	From
To <u>12:00 am</u>	To	To	To	To	To

a. Alternate date: \_\_\_\_\_

b. Alternate location: \_\_\_\_\_  
**(Alternate date or location must be specified in local approval)**

6. Indicate type of activity to be carried on during event:

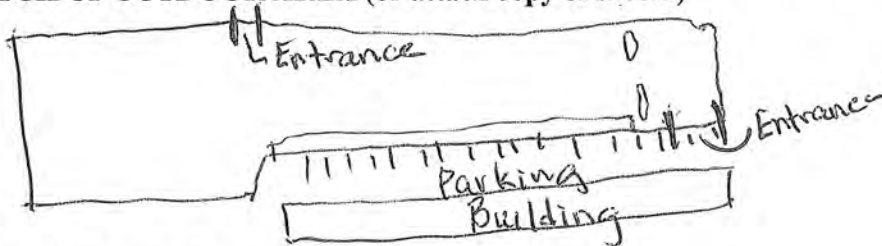
- Dance  
  Reception  
  Fund Raiser  
  Beer Garden  
  Sampling/Tasting  
 Other Car Show

7. Description of area to be licensed

Inside building, dimensions of area to be covered **IN FEET** \_\_\_\_\_ x \_\_\_\_\_  
 (not square feet or acres)

\*Outdoor area dimensions of area to be covered **IN FEET** 370 x 240

\***SKETCH OF OUTDOOR AREA (or attach copy of sketch)**



If outdoor area, how will premises be enclosed?

Fence; snow fence  chain link  cattle panel  other \_\_\_\_\_

Tent

8. How many attendees do you expect at event? 300

9. If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed)

There will be 2 entrances into the beer garden. Each entrance will be manned by security personnel who will wrist band over 21.

10. Will premises to be covered by license comply with all Nebraska sanitation laws? YES  NO

a. Are there separate toilets for both men and women? YES  NO

11. **Retailer: Will you be purchasing your alcohol from a wholesaler?** YES  NO   
**Non-Profit: Where will you be purchasing your alcohol?**

**Wholesaler**  **Retailer**  **Both**  **BYO**   
(includes wineries)

12. Will there be any games of chance operating during the event? YES  NO

If so, describe activity \_\_\_\_\_

**NOTE:** Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law. There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

13. Any other information or requests for exemptions: \_\_\_\_\_

14. Name and **telephone number/cell phone number** of immediate **supervisor**. This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to. **PLEASE PRINT LEGIBLY**

Print name of Event Supervisor Colleen Olson

Signature of Event Supervisor Colleen Olson

Phone of Event Supervisor: Before 402-813-2368 During 402-813-2368

Consent of Authorized Representative/Applicant

15. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

sign here Colleen Olson General Manager 3/18/15  
Authorized Representative/Applicant Title Date

Colleen Olson  
Print Name

This individual must be listed on the application as an officer or stockholder unless a letter has been filed appointing an individual as the catering manager allowing them to sign all SDL applications.

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.



A-10

BANK NO CHECK NO	BANK NAME DATE	VENDOR NO VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
-----						
1 Bank of Nebraska (600-873)						
117463	4/08/2015	239 ASSURANT EMPLOYEE BENEFITS	1,493.40			**MANUAL**
117464	4/08/2015	1194 QUALITY BRANDS OF OMAHA	362.80			**MANUAL**
117465	4/08/2015	2626 GENERAL SERVICE BUREAU INC	116.00			**MANUAL**
117466	4/08/2015	4867 VAN RU CREDIT CORPORATION	40.58			**MANUAL**
117467	4/08/2015	4653 RDG PLANNING & DESIGN	750.00			**MANUAL**
117468	4/08/2015	143 THOMPSON DRESSEN & DORNER	6,084.39			**MANUAL**
117469	4/08/2015	147 CHRIS MADDEN	5,293.40			**MANUAL**
117470	4/08/2015	3739 FELSBURG HOLT & ULLEVIG	3,833.23			**MANUAL**
117471	4/08/2015	166 MIDWEST EXCAVATING SVCS LLC	7,252.78			**MANUAL**
117472	4/14/2015	1270 PREMIER-MIDWEST BEVERAGE CO	692.30			**MANUAL**
117473	4/14/2015	1194 QUALITY BRANDS OF OMAHA	450.40			**MANUAL**
117474	4/21/2015	3983 ABE'S PORTABLES INC	57.54			
117475	4/21/2015	762 ACTION BATTERIES UNLTD INC	455.18			
117476	4/21/2015	4309 ACTION SIGNS INCORPORATED	179.50			
117477	4/21/2015	4061 AED ZONE	477.00			
117478	4/21/2015	268 AKSARBEN HEATING/ARS	512.95			
117479	4/21/2015	571 ALAMAR UNIFORMS	180.26			
117480	4/21/2015	106 ALL MAKES OFFICE EQUIPMENT CO	600.00			
117481	4/21/2015	720 AMERICAN LEGAL PUBLISHING CO	116.00			
117482	4/21/2015	201 BAKER & TAYLOR BOOKS	16.39			
117483	4/21/2015	2554 BARCAL, ROSE	56.58			
117484	4/21/2015	4092 BIBLIONIX LLC	3,850.00			
117485	4/21/2015	4781 BISHOP BUSINESS EQUIPMENT	852.30			
117486	4/21/2015	196 BLACK HILLS ENERGY	1,688.81			
117487	4/21/2015	1207 BLICK ART MATERIALS	67.92			
117488	4/21/2015	2757 BOBCAT OF OMAHA	482.88			
117489	4/21/2015	4711 BOMA/OMAHA	22.00			
117490	4/21/2015	3760 BUETHE, PAM	531.88			
117491	4/21/2015	76 BUILDERS SUPPLY CO INC	1,086.67			
117492	4/21/2015	2625 CARDMEMBER SERVICE-ELAN	.00	**CLEARED**	**VOIDED**	
117493	4/21/2015	2625 CARDMEMBER SERVICE-ELAN	.00	**CLEARED**	**VOIDED**	
117494	4/21/2015	2625 CARDMEMBER SERVICE-ELAN	.00	**CLEARED**	**VOIDED**	
117495	4/21/2015	2625 CARDMEMBER SERVICE-ELAN	.00	**CLEARED**	**VOIDED**	
117496	4/21/2015	2625 CARDMEMBER SERVICE-ELAN	.00	**CLEARED**	**VOIDED**	
117497	4/21/2015	2625 CARDMEMBER SERVICE-ELAN	.00	**CLEARED**	**VOIDED**	
117498	4/21/2015	2625 CARDMEMBER SERVICE-ELAN	14,649.91			
117499	4/21/2015	226 CARNAHAN EVANS CANTWELL & BROWN	2,451.64			
117500	4/21/2015	1370 CDW GOVERNMENT INC	6,680.62			
117501	4/21/2015	219 CENTURY LINK	575.31			
117502	4/21/2015	2540 CENTURY LINK BUSN SVCS	71.38			
117503	4/21/2015	244 CHILD'S WORLD INCORPORATED	151.60			
117504	4/21/2015	152 CITY OF OMAHA	739.91			
117505	4/21/2015	4504 CITY OF OMAHA-WALL/STAGE RENT	1,855.00			
117506	4/21/2015	1504 CITY OF PAPIILLION PARKS/RECR	30.00			
117507	4/21/2015	4929 CNA SURETY	20.00			
117508	4/21/2015	3126 COCA-COLA BOTTLING COMPANY	194.62			
117509	4/21/2015	235 COMFORT INN-KEARNEY	539.70			
117510	4/21/2015	3176 COMP CHOICE INC	150.00			
117511	4/21/2015	43 CORNHUSKER STATE INDUSTRIES	83.31			
117512	4/21/2015	2158 COX COMMUNICATIONS	221.20			
117513	4/21/2015	3136 D & D COMMUNICATIONS	503.00			

ACCOUNTS PAYABLE CHECK REGISTER

BANK NO CHECK NO	BANK NAME DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
117514	4/21/2015	3408	DASH MEDICAL GLOVES	65.90			
117515	4/21/2015	619	DELL MARKETING L.P.	1,387.37			
117516	4/21/2015	159	DXP ENTERPRISES INC	262.32			
117517	4/21/2015	3334	EDGEWEAR SCREEN PRINTING	.00	**CLEARED**	**VOIDED**	
117518	4/21/2015	3334	EDGEWEAR SCREEN PRINTING	2,532.25			
117519	4/21/2015	2388	EXCHANGE BANK	1,035.79			
117520	4/21/2015	1042	FELD FIRE	807.94			
117521	4/21/2015	1201	FERRELLGAS	189.94			
117522	4/21/2015	1245	FILTER CARE	44.80			
117523	4/21/2015	142	FITZGERALD SCHORR BARMETTLER	.00	**CLEARED**	**VOIDED**	
117524	4/21/2015	142	FITZGERALD SCHORR BARMETTLER	23,003.06			
117525	4/21/2015	3705	FUTUREWARE DISTRIBUTING INC	168.00			
117526	4/21/2015	1161	GALLS, AN ARAMARK COMPANY	81.35			
117527	4/21/2015	53	GCR TIRES & SERVICE	202.40			
117528	4/21/2015	826	GOVERNMENT FINANCE OFFICER'S	190.00			
117529	4/21/2015	285	GRAYBAR ELECTRIC COMPANY INC	1,341.17			
117530	4/21/2015	71	GREENKEEPER COMPANY INC	576.00			
117531	4/21/2015	1624	GUNN, BRENDA	81.02			
117532	4/21/2015	234	HAMPTON INN-KEARNEY	149.00			
117533	4/21/2015	3775	HARTS AUTO SUPPLY	588.00			
117534	4/21/2015	218	HOTSY EQUIPMENT COMPANY	118.94			
117535	4/21/2015	3477	HSMC ORIZON LLC	725.00			
117536	4/21/2015	2323	INGRAM LIBRARY SERVICES	1,085.63			
117537	4/21/2015	1896	J Q OFFICE EQUIPMENT INC	54.26			
117538	4/21/2015	2394	KRIHA FLUID POWER CO INC	304.30			
117539	4/21/2015	231	LEAGUE OF NEBRASKA MUNICIPA-	1,990.00			
117540	4/21/2015	787	LEARNER PUBLISHING GROUP	12.74			
117541	4/21/2015	4784	LIBRARY IDEAS LLC	8.50			
117542	4/21/2015	1573	LOGAN CONTRACTORS SUPPLY	807.68			
117543	4/21/2015	2664	LOU'S SPORTING GOODS	296.50			
117544	4/21/2015	4560	LOWE'S CREDIT SERVICES	195.60			
117545	4/21/2015	3833	LUEDERS LOCK & KEY INC	93.00			
117546	4/21/2015	877	MATHESON TRI-GAS INC	129.15			
117547	4/21/2015	4943	MENARDS-RALSTON	194.08			
117548	4/21/2015	553	METROPOLITAN UTILITIES DIST.	632.65			
117549	4/21/2015	2497	MID AMERICA PAY PHONES	50.00			
117550	4/21/2015	1046	MIDWEST TURF & IRRIGATION	31.20			
117551	4/21/2015	1050	MILLER PRESS	660.00			
117552	4/21/2015	2984	MOORE, DEETTE	120.00			
117553	4/21/2015	714	NATIONAL ENTERTAINMENT	840.00			
117554	4/21/2015	1028	NATIONAL EVERYTHING WHOLESALE	421.57			
117555	4/21/2015	1804	NEBRASKA BUSINESS ELECTRONICS	243.00			
117556	4/21/2015	4703	NEBRASKA ENVIRONMENTAL PRODS	267.85			
117557	4/21/2015	2529	NEBRASKA SOFTBALL ASSN DIST#10	1,490.00			
117558	4/21/2015	2685	NEBRASKA TURF PRODUCTS	747.50			
117559	4/21/2015	241	NEW CENTURY PHYSICIANS OF	369.00			
117560	4/21/2015	3973	NIKE USA INC	776.50			
117561	4/21/2015	179	NUTS AND BOLTS INCORPORATED	63.86			
117562	4/21/2015	1014	OFFICE DEPOT INC	.00	**CLEARED**	**VOIDED**	
117563	4/21/2015	1014	OFFICE DEPOT INC	1,190.22			
117564	4/21/2015	195	OMAHA PUBLIC POWER DISTRICT	.00	**CLEARED**	**VOIDED**	
117565	4/21/2015	195	OMAHA PUBLIC POWER DISTRICT	.00	**CLEARED**	**VOIDED**	
117566	4/21/2015	195	OMAHA PUBLIC POWER DISTRICT	50,221.14			

BANK NO CHECK NO	BANK NAME DATE	VENDOR NO VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
<u>APPROVED BY COUNCIL MEMBERS</u>						
117567	4/21/2015	4815 ONE CALL CONCEPTS INC	270.10			
117568	4/21/2015	3935 ORIENTAL TRADING COMPANY	205.26			04/21/15
117569	4/21/2015	3039 PAPILLION SANITATION	968.86			
117570	4/21/2015	2686 PARAMOUNT LINEN & UNIFORM	330.16			
117571	4/21/2015	3058 PERFORMANCE CHRYSLER JEEP	102.78			
117572	4/21/2015	4037 PERFORMANCE FORD	29.53			
117573	4/21/2015	1784 PLAINS EQUIPMENT GROUP	865.40			
117574	4/21/2015	3446 PRO-PAPILLION RECREATION ORG	1,355.00			
117575	4/21/2015	191 READY MIXED CONCRETE COMPANY	2,937.98			
117576	4/21/2015	3090 REGAL AWARDS OF DISTINCTION	168.00			COUNCIL MEMBER
117577	4/21/2015	3129 REPCO MARKETING INC	25.75			
117578	4/21/2015	25 RIVER CITY RECYCLING	340.00			
117579	4/21/2015	292 SAM'S CLUB	676.22			
117580	4/21/2015	4700 SARGUS, HAROLD	268.12			
117581	4/21/2015	1864 SINNETT, JEFF	8.63			
117582	4/21/2015	115 SIRCHIE FINGER PRINT LABS	154.92			
117583	4/21/2015	4991 SPARTAN MEDIA	700.00			
117584	4/21/2015	3838 SPRINT	832.78			COUNCIL MEMBER
117585	4/21/2015	242 ANDREA STICKNEY	95.00			
117586	4/21/2015	264 TED'S MOWER SALES & SERVICE	66.55			
117587	4/21/2015	822 THERMO KING CHRISTENSEN	239.80			
117588	4/21/2015	4179 TITAN MACHINERY	471.84			
117589	4/21/2015	4231 TORNADO WASH LLC	570.00			
117590	4/21/2015	4979 UNITE PRIVATE NETWORKS LLC	8,667.00			
117591	4/21/2015	4856 UNITED DISTRIBUTORS INC	71.20			
117592	4/21/2015	2426 UNITED PARCEL SERVICE	123.90			
117593	4/21/2015	4480 VAL VERDE ANIMAL HOSPITAL INC	75.85			COUNCIL MEMBER
117594	4/21/2015	766 VIERREGGER ELECTRIC COMPANY	2,480.37			
117595	4/21/2015	3150 WHITE CAP CONSTR SUPPLY/HDS	82.98			

1782301  
Thru 1797801

Payroll Checks

BANK TOTAL	186,550.50	COUNCIL MEMBER
OUTSTANDING	186,550.50	
CLEARED	.00	
VOIDED	.00	

FUND	TOTAL	OUTSTANDING	CLEARED	VOIDED
01 GENERAL FUND	129,928.25	129,928.25	.00	.00
02 SEWER FUND	15,983.94	15,983.94	.00	.00
05 CONSTRUCTION	28,733.18	28,733.18	.00	.00
08 LOTTERY FUND	2,670.41	2,670.41	.00	.00
09 GOLF COURSE FUND	7,804.32	7,804.32	.00	.00
15 OFF-STREET PARKING	1,430.40	1,430.40	.00	.00

REPORT TOTAL	186,550.50
OUTSTANDING	186,550.50
CLEARED	.00
VOIDED	.00
+ Gross Payroll 04/10/15	\$245,283.71
GRAND TOTAL	\$431,834.21

COUNCIL MEMBER

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
APRIL 21, 2015 AGENDA**

Subject:	Type:	Submitted By:
ZONING TEXT AMENDMENTS — ANIMAL SPECIALTY SERVICES & KENNELS	RESOLUTION ◆ ORDINANCES (3) RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A public hearing has been scheduled and ordinances prepared to amend Sections 5.05, 5.10 and 5.11 of the Zoning Ordinance regarding animal specialty services and kennels.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approve.

**BACKGROUND**

A public hearing has been scheduled to consider amendments to Sections 5.05, 5.10 and 5.11 of the Zoning Ordinance regarding animal specialty services and kennels.

Currently within the Zoning Ordinance, **“Animal Specialty Services”** is a conditional use within the I-1 Light Industrial and I-2 Heavy Industrial Districts. This use is defined as “...establishments primarily engaged in pet grooming, clipping, bathing, daycare, training courses, obedience classes, and similar services. Does not include veterinary services or overnight boarding kennels.”

Staff received a request to consider allowing this use within the commercial districts. Research of neighboring jurisdictions’ zoning ordinances identified the following:

- a. Papillion – “Pet Services” are allowed outright in their LC, CC, CBD, and GC (all of their commercial areas). This includes “Pet Daycares and Hotels”. “Kennels” are allowed as a special use permit in their GC (General Commercial) area.
- b. Bellevue – “Animal Specialty Services” is allowed in BG (Business General), BGM (Metropolitan General Business), BGH (Heavy General Business) commercial districts.
- c. Ralston – “Pet Services” (includes boarding) is permitted outright in all commercial districts, except for Limited Office. “Kennels” are permitted with a Special Use Permit in GC (General Commercial).
- d. Sarpy County – Allows for animal daycare in BG (but outdoor runs and boarding require a CUP). Typical pet services (grooming, toy/food sales) seem to fall under “Retail Stores”.

Through staff's regular review of the zoning ordinance it was concluded that amendments to the regulations were warranted to allow animal specialty services as a permitted use in the C-1 Shopping Center Commercial and C-2 General Commercial districts. This use does not allow for overnight boarding or outdoor exercise areas without a conditional use permit.

The amendments also remove "kennels" as a permitted use within the TA Transitional Agriculture District.

See the attached red-line copy of the proposed amendments.

The Planning Commission held a public hearing on March 19, 2015 and, through a vote of 8-1, recommended approval of the amendments to City Council.

I:\Administration\BRENDA\My Documents\COUNCIL\15 Memos\Zoning Text Amend - Animal Specialty Services.Doc

**Section 5.05 TA Transitional Agriculture District**

**5.05.01 Intent:** The Transitional Agriculture District is established to recognize these properties as agricultural at present with the understanding that they may be suitable for development in the future. This district allows for existing agricultural properties to continue using the land in that manner.

**5.05.02 Permitted Uses.**

- 5.05.02.01 Farming, pasturing, truck gardening, orchards, greenhouses and nurseries, including the sale of products raised on the premises, provided that no livestock feedlot or yard for more than twelve (12) animals shall be established.
- 5.05.02.02 Farm dwellings for the owners and their families, tenants, and employees.
- 5.05.02.03 Public parks and recreation areas, playgrounds and conservation areas including flood control facilities.
- 5.05.02.04 Railroads, not including switching, terminal facilities or freight yards.
- 5.05.02.05 Public overhead and underground local distribution utilities.
- 5.05.02.06 Single family dwelling.
- 5.05.02.07 Churches.
- 5.05.02.08 Hydrogenation process.
- 5.05.02.09 Public services.
- 5.05.02.10 Publicly owned and operated facilities.
- 5.05.02.11 Roadside stands offering for sale agriculture products on the premises.

**5.05.03 Permitted Conditional Uses:**

- 5.05.03.01 Radio, television and wireless communication towers and transmitters, as per Section 7.11.
- 5.05.03.02 Cemeteries, provided all structures are located at least one hundred (100) feet from all property lines.
- 5.05.03.03 Wastewater treatment facilities.
- 5.05.03.04 Private recreation areas and facilities including country clubs, golf courses (but not miniature golf), and swimming pools.
- 5.05.03.05 Home occupations, as per Section 7.10.
- 5.05.03.06 Raising and care of animals for 4-H, Future Farmer of America (FFA) or other rural/school organizations.
- 5.05.03.07 Wind energy systems on tracts of more than ten (10) acres, as per Section 7.18.
- 5.05.03.09 Airports.
- 5.05.03.10 Campgrounds.
- 5.05.03.12 ~~Kennels and stables.~~
- 5.05.03.13 Water reservoir.

**5.05.04 Permitted Accessory Uses:**

- 5.05.04.01 Buildings and uses customarily incidental to the permitted and conditional uses.
- 5.05.04.02 Temporary buildings incidental to construction work where such buildings or structures are removed upon completion of work.
- 5.05.04.03 Signs as provided for in Section 7.01 through 7.04.
- 5.05.04.04 Parking as provided for in Section 7.05 through 7.09.
- 5.05.04.05 Private swimming pool, tennis court and other similar facilities in conjunction with a residence.
- 5.05.04.06 Storage or parking of vehicles, boats, campers and trailer, as per Section 7.13.

**5.05.05 Height and Lot Requirements:**

5.05.05.01 The height and minimum lot requirements shall be as follows:

Uses	Lot Area (Acres)	Lot Width	Front Yard	Side Yard	Rear Yard	Max. Height	Max. Lot Coverage
Residential Dwelling	20	660'	75'	25'	25'	35'	-
Other Permitted Uses	20	660'	75'	25'	25'	45'	-
Other Permitted Conditional Uses	20	660'	75'	25'	25'	45'	-
Accessory Buildings	-	-	100'	25'	10'	17'	-

**Section 5.10 C-1 Shopping Center Commercial.**

**5.10.01 Intent:** This district adds certain design standards in comparison to zoning districts located along 84<sup>th</sup> Street and at the intersection of 96<sup>th</sup> and Giles Road. They are designed to promote:

- 5.10.01.01 Safe traffic circulation on and off and across the highway.
- 5.10.01.02 A high quality of design and site planning.
- 5.10.01.03 Flexibility in development in order to provide an attractive, viable employment corridor.

This district prohibits all exterior storage by a primary use unless a separate Conditional Use Permit is requested for the use and granted by the City.

**5.10.02 Permitted uses:**

- 5.10.02.01 *Medical/dental offices and business services including: attorneys, banks, insurance, real estate offices, postal stations, credit services, security brokers, dealers and exchange, title abstracting, finance services and investment services; but not including uses defined in Adult Establishment. (Ordinance No. 950, 3-1-05)*
- 5.10.02.02 Child care center.
- 5.10.02.03 Dance studio, not including uses defined in Adult Establishment.
- 5.10.02.04 Meeting hall, not including uses defined in Adult Establishment.
- 5.10.02.05 Museum, art gallery.
- 5.10.02.06 Retail business or service establishment supplying commodities or performing services, such as, or in compatibility with and including the following:
  - 1. Apparel shop.
  - 2. Appliance store.
  - 3. Antique store.
  - 4. Automobile parts and supply store.
  - 5. Bakery shop (retail).
  - 6. Barber and Beauty shop.
  - 7. Bicycle shop.
  - 8. Book store, not including uses defined in Adult Establishment.
  - 9. Brew-on premises store.
  - 10. Camera store.
  - 11. Communication services.
  - 12. Computer store.
  - 13. Confectionery.
  - 14. Dairy products sales.
  - 15. Drug store.
  - 16. Dry cleaning and laundry pickup.
  - 17. Exercise, fitness and tanning spa, not including uses defined in Adult Establishment.
  - 18. Food Sales (Limited).
  - 19. Food Sales (General).
  - 20. Floral shop.
  - 21. Mortuary.
  - 22. Furniture store or showroom.
  - 23. Gift and curio shop.
  - 24. Gunsmith.
  - 25. Hardware store.
  - 26. Hobby, craft, toy store.
  - 27. Jewelry store.
  - 28. Liquor store.
  - 29. Locksmith.
  - 30. Meat market, retail.
  - 31. Music retail store.
  - 32. Newsstands, not including uses defined in Adult Establishment.
  - 33. Paint store.

34. Pet shop.
35. Photographer.
36. Picture framing shop.
37. Reservation center.
38. Restaurants, cafes and fast food establishments.
39. Second hand stores.
40. Shoe store.
41. Sporting goods.
42. Stamp and coin stores.
43. Tailors and dressmakers.
44. Tanning salon.
45. Travel agencies.
46. Video store, not including uses defined in Adult Establishment.
47. Social club and fraternal organizations, not including uses defined in Adult Establishment.
48. Telephone exchange.
49. Telephone answering service.
50. Public overhead and underground local distribution utilities.
51. *Publicly owned and operated facilities. (Ordinance No. 950, 3-1-05)*
- ~~51.~~ 52. *Animal Specialty Services, provided there is no overnight boarding of animals or outdoor exercise areas.*

**5.10.03 Permitted Conditional Uses:**

- 5.10.03.01 Recreational establishments.
- 5.10.03.02 Department Store.
- 5.10.03.03 Variety store, not including uses defined in Adult Establishment.
- 5.10.03.04 Amusement arcades.
- 5.10.03.05 Brew Pubs.
- 5.10.03.06 Coffee Kiosks.
- 5.10.03.07 Micro breweries when in conjunction with a restaurant.
- 5.10.03.08 Automated Teller Machines when not within the interior of a primary use.
- 5.10.03.09 Theater, indoor, not including uses defined in Adult Establishment.
- 5.10.03.10 Bowling center.
- 5.10.03.11 Business or trade school.
- 5.10.03.12 Commercial greenhouse.
- 5.10.03.13 Mail order services.
- 5.10.03.14 Pinball or video games business.
- 5.10.03.15 Tavern and cocktail lounge, not including uses defined in Adult Establishment.
- 5.10.03.16 Totally enclosed, automated and conveyor-style car washes.
- 5.10.03.17 Convenience store with limited fuel sales.
- 5.10.03.18 Garden supply and retail garden center.
- 5.10.03.19 Outdoor storage in conjunction with another primary use.
- 5.10.03.20 Pet Health Services, provided the following:
  1. Said use is totally enclosed within a building.
  2. Said services shall be provided for dogs, cats, birds, fish, and similar small animals customarily used as household pets.
  3. Typical uses include animal veterinary clinics with overnight boarding, only if medically necessary, not exceeding 48 hours.
  4. Grooming shall only be associated with medical appointment.
  5. This excludes uses for livestock and other large animals and uses for general grooming, dog bathing and clipping salons.
- 5.10.03.21 *Self-storage units, provided:*
  1. *Storage unit is an extension of an existing self-storage unit or facility.*
  2. *The topography and access of the property will limit the development of identified commercial uses.*
  3. *No outdoor storage.*



4. Unit or facility provides perimeter fencing in accordance with this ordinance and a vegetative screen of at least six (6) feet in height and twenty (20) feet in width to any adjacent residential zoned property.
5. Lighting on site shall not be directed at or allowed to shine on any residential zoned property.
6. Applications for self-storage units under the terms of this Section shall be accompanied by evidence concerning the feasibility of the proposed request and its affect on surrounding property and shall include a site plan defining the areas to be developed with buildings and/or structures, the areas to be developed for parking, driveways and points of ingress and egress, the location and height of walls and fences, the location and type of landscaping, and the location, size and number of signs.
7. Such use shall not be located adjacent to the intersection of two or more arterial streets.
8. The property shall have at least one boundary line that is adjacent to other property that is zoned I-1 Light Industrial or I-2 Heavy Industrial.
9. Such use shall not include storage of explosives or hazardous materials and shall be in accordance with the intent, purpose and spirit of this ordinance and the Comprehensive Development Plan of La Vista, Nebraska.

**(Ordinance No. 954, 7-5-05)**

5.10.03.22

Event center, provided:

1. A conditional use permit would need to include specifics to the design and operation of the proposed center and individual activities, including, but not limited to, a detailed site plan and floor plan, a complete list of appointed or designated managers for each event at the center, and a complete description and duration of each event submitted to the city prior to each event.
2. Lighting on site shall not be directed at or allowed to shine on any residential zoned property.
3. Buildings utilized as event centers shall be accompanied by evidence concerning the feasibility of the proposed request and its affect on surrounding property and shall include a site plan defining the areas to be developed with buildings and/or structures, the areas to be developed for parking, driveways and points of ingress and egress, the location and height of walls and fences, the location and type of landscaping, and the location, size and number of signs.
4. All signage shall comply with the City's established regulations.

**(Ordinance No. 955, 7-19-05)**

5.10.03.23

Animal Specialty Services including overnight boarding of animals and outdoor exercise areas.

**5.10.04 Permitted Accessory Uses:**

- 5.10.04.01 Buildings and uses customarily incidental to the permitted uses.
- 5.10.04.02 Parking as allowed in Section 7.05 through 7.09.
- 5.10.04.03 Signs allowed in Section 7.01 through 7.04.
- 5.10.04.04 Landscaping as required by Section 7.17.

**5.10.05 Permitted Temporary Uses**

Temporary Uses require a permit from the City of La Vista and shall be valid only for a specific amount of time as indicated on said permit. *All platted lots or tracts of land may have a maximum number of four (4) temporary uses per calendar year. Such uses shall not last more than two (2) weeks per use, except as provided for hereafter.* **(Ordinance No. 998, 7-18-06)**

- 5.10.05.01 Temporary greenhouses.
- 5.10.05.02 Temporary structures as needed for sidewalk and other outdoor sales events.
- 5.10.05.03 Fireworks stands, provided the criteria are met as established by the City through separate Ordinances.

- 5.10.05.04 Buildings and uses incidental to construction work *are permitted to remain until completion or abandonment of the construction work, at which time they shall be removed. (Ordinance No. 998, 7-18-06)*
- 5.10.05.05 Temporary structure for festivals or commercial events.

**5.10.06 Height and Lot Requirements:**

5.10.06.01 The height and minimum lot requirements shall be as follows:

<i>Uses</i>	<b>Lot Area (SF)</b>	<b>Lot Width</b>	<b>Front Yard</b>	<b>Side Yard</b>	<b>Rear Yard</b>	<b>Max. Height</b>	<b>Max. Lot Coverage</b>
Permitted Uses	-	150'	25' <sup>1</sup>	10'	25'	45'	60%
Permitted Conditional Uses	-	150'	25' <sup>1</sup>	10'	25'	45'	60%

<sup>1.</sup> 25' front yard setback required only when no parking is present in the front yard. If parking is located in the front yard then front yard setback is a minimum of fifty (50) feet.

**5.10.07 Use Limitations:**

- 5.10.07.01 When adjacent to residentially zoned land, no parking, drives or signs shall be allowed in any required yard within fifteen (15) feet of such district.
- 5.10.07.02 Furthermore, permanent screening shall be provided in this area in order to minimize impacts on residentially zoned property, as per Section 7.17.04.
- 5.10.07.03 Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.

**Section 5.11 C-2 General Commercial District**

**5.11.01 Intent:** The General Commercial District is intended to establish standards that will foster and maintain an area within the district boundaries that will benefit the retail trade, business, cultural, and social activities of the entire community. In addition, this district prohibits all exterior storage by a primary use unless a separate Conditional Use Permit is requested for the use and granted by the City.

**5.11.02 Permitted Uses:**

- 5.11.02.01 *Medical/dental offices and business services including: attorneys, banks, insurance, real estate offices, postal stations, printing, credit services, security brokers, dealers and exchange, title abstracting, finance services and investment services; but not including uses defined in Adult Establishment. (Ordinance No. 950, 3-1-05)*
- 5.11.02.02 Child care center.
- 5.11.02.03 Dance studio, not including uses defined in Adult Establishment.
- 5.11.02.04 Meeting hall, not including uses defined in Adult Establishment.
- 5.11.02.05 Museum, art gallery.
- 5.11.02.06 Retail business or service establishment supplying commodities or performing services, such as, or in compatibility with and including the following:
1. Apparel shop.
  2. Appliance store.
  3. Antique store.
  4. Automobile parts and supply store.
  5. Bakery shop (retail).
  6. Barber and Beauty shop.
  7. Bicycle shop.
  8. Book store, not including uses defined in Adult Establishment.
  9. Brew-on premises store.
  10. Camera store.
  11. Communication services.
  12. Computer store.
  13. Confectionery.
  14. Dairy products sales.
  15. Drug store.
  16. Dry cleaning and laundry pickup.
  17. Exercise, fitness and tanning spa, not including uses defined in Adult Establishment.
  18. Floral shop.
  19. Mortuary.
  20. Food Sales (Limited).
  21. Food Sales (General).
  22. Furniture store or showroom.
  23. Gift and curio shop.
  24. Gunsmith.
  25. Hardware store.
  26. Hobby, craft, toy store.
  27. Jewelry store.
  28. Liquor store.
  29. Locksmith.
  30. Meat market, retail.
  31. Music retail store.
  32. Music studio.
  33. Newsstands, not including uses defined in Adult Establishment.
  34. Paint store.
  35. Pet shop.
  36. Photographer.
  37. Picture framing shop.
  38. Reservation center.

- 39. Restaurants, cafes and fast food establishment.
- 40. Second hand stores.
- 41. Shoe store.
- 42. Sporting goods.
- 43. Stamp and coin stores.
- 44. Tailors and dressmakers.
- 45. Tanning salon.
- 46. Travel agencies.
- 47. Video store, not including uses defined in Adult Establishment.
- 48. Social club and fraternal organizations, not including uses defined in Adult Establishment.
- 49. Telephone exchange.
- 50. Telephone answering service.
- 51. Theater, indoor, not including uses defined in Adult Establishment.
- 52. Public overhead and underground local distribution utilities.
- ~~53.~~ *Publicly owned and operated facilities. (Ordinance No. 950, 3-1-05)*
- ~~53-54.~~ *Animal Specialty Services, provided there is no overnight boarding of animals or outdoor exercise areas.*

**5.11.03 Permitted Conditional Uses:**

- 5.11.03.01 Recreational establishments.
- 5.11.03.02 Variety store, not including uses defined in Adult Establishment
- 5.11.03.03 Amusement arcades.
- 5.11.03.04 Bowling center.
- 5.11.03.05 Brew Pubs.
- 5.11.03.06 Micro breweries when in conjunction with a restaurant.
- 5.11.03.07 Coffee Kiosks.
- 5.11.03.08 Automated Teller Machines when not within the interior of a primary use.
- 5.11.03.09 Business or trade school.
- 5.11.03.10 Garden supply and retail garden center.
- 5.11.03.11 Commercial greenhouse.
- 5.11.03.12 Mail order services.
- 5.11.03.13 Pinball or video games business.
- 5.11.03.14 Tavern and cocktail lounge, not including uses defined in Adult Establishment.
- 5.11.03.15 Totally enclosed, automated and conveyor-style car washes.
- 5.11.03.16 Convenience store with limited fuel sales.
- 5.11.03.17 Residences in conjunction with the principal use when located above the ground floor.
- 5.11.03.18 Churches, temples, seminaries, and convents including residences for teachers and pastors.
- 5.11.03.19 Car wash.
- 5.11.03.20 Retail building material sales; provided that the following minimum standards are present:
  - 1. All lumber shall be enclosed with the primary structure.
  - 2. All year round landscaping materials shall be enclosed within the primary structure.
  - 3. All outdoor storage shall be temporary and shall comply with the provisions for Temporary Uses, as per this Ordinance.
- 5.11.03.21 Service station with minor automobile repair services.
- ~~5.11.03.22~~ *Tire store and minor automobile repair service.*
- ~~5.11.03.22~~ *5.11.03.23 Animal Specialty Services including overnight boarding of animals and outdoor exercise areas.*

**5.11.04 Permitted Temporary Uses**

Temporary Uses require a permit from the City of La Vista and shall be valid only for a specific amount of time as indicated on said permit. *All platted lots or tracts of land may have a maximum number of four (4)*

temporary uses per calendar year. Such uses shall not last more than two (2) weeks per use, except as provided for hereafter. **(Ordinance No. 998, 7-18-06)**

- 5.11.04.01 Temporary greenhouses.
- 5.11.04.02 Temporary structures as needed for sidewalk and other outdoor sales events.
- 5.11.04.03 Fireworks stands, provided the criteria are met as established by the City through separate Ordinances.
- 5.11.04.04 Buildings and uses incidental to construction work *are permitted to remain until completion or abandonment of the construction work, at which time they shall be removed.* **(Ordinance No. 998, 7-18-06)**
- 5.11.04.05 Temporary structure for festivals or commercial events.

**5.11.05 Permitted Accessory Uses**

- 5.11.05.01 Buildings and uses customarily incidental to the permitted uses.
- 5.11.05.02 Parking as permitted in Section 7.05 through 7.09.
- 5.11.05.03 Signs allowed in Section 7.01 through 7.04.
- 5.11.05.04 Landscaping as required by Section 7.17.

**5.11.06 Height and Lot Requirements:**

- 5.11.06.01 The height and minimum lot requirements shall be as follows:

<i>Uses</i>	<b>Lot Area (SF)</b>	<b>Lot Width</b>	<b>Front Yard</b>	<b>Side Yard</b>	<b>Rear Yard</b>	<b>Max. Height</b>	<b>Max. Lot Coverage</b>
Permitted Uses	10,000	-	25' <sup>1</sup>	15'	15'	45'	60%
Permitted Conditional Uses	10,000	-	25' <sup>1</sup>	15'	15'	45'	60%

<sup>1</sup> 25' front yard setback required only when no parking is present in the front yard. If parking is located in the front yard then front yard setback is a minimum of fifty (50) feet.

**5.11.07 Use Limitations:**

- 5.11.07.01 When adjacent to residentially zoned land, no parking, drives or signs shall be allowed in any required yard within fifteen (15) feet of such district. Furthermore, permanent screening shall be provided in this area in order to minimize impacts on residentially zoned property, as per Section 7.14.04.
- 5.11.07.02 Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE TO AMEND SECTION 5.05 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.05 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. Amendment of Section 5.05. Section 5.05 of the Ordinance No. 848 is hereby amended to read as follows:

**Section 5.05 TA Transitional Agriculture District**

**5.05.01 Intent:** The Transitional Agriculture District is established to recognize these properties as agricultural at present with the understanding that they may be suitable for development in the future. This district allows for existing agricultural properties to continue using the land in that manner.

**5.05.02 Permitted Uses:**

- 5.05.02.01 Farming, pasturing, truck gardening, orchards, greenhouses and nurseries, including the sale of products raised on the premises, provided that no livestock feedlot or yard for more than twelve (12) animals shall be established.
- 5.05.02.02 Farm dwellings for the owners and their families, tenants, and employees.
- 5.05.02.03 Public parks and recreation areas, playgrounds and conservation areas including flood control facilities.
- 5.05.02.04 Railroads, not including switching, terminal facilities or freight yards.
- 5.05.02.05 Public overhead and underground local distribution utilities.
- 5.05.02.06 Single family dwelling.
- 5.05.02.07 Churches.
- 5.05.02.08 Hydrogenation process.
- 5.05.02.09 Public services.
- 5.05.02.10 Publicly owned and operated facilities.
- 5.05.02.11 Roadside stands offering for sale agriculture products on the premises.

**5.05.03 Permitted Conditional Uses:**

- 5.05.03.01 Radio, television and wireless communication towers and transmitters, as per Section 7.11.
- 5.05.03.02 Cemeteries, provided all structures are located at least one hundred (100) feet from all property lines.
- 5.05.03.03 Wastewater treatment facilities.
- 5.05.03.04 Private recreation areas and facilities including country clubs, golf courses (but not miniature golf), and swimming pools.
- 5.05.03.05 Home occupations, as per Section 7.10.
- 5.05.03.06 Raising and care of animals for 4-H, Future Farmer of America (FFA) or other rural/school organizations.
- 5.05.03.07 Wind energy systems on tracts of more than ten (10) acres, as per Section 7.18.
- 5.05.03.08 Airports.
- 5.05.03.09 Campgrounds.
- 5.05.03.10 Water reservoir.

**5.05.04 Permitted Accessory Uses:**

- 5.05.04.01 Buildings and uses customarily incidental to the permitted and conditional uses.
- 5.05.04.02 Temporary buildings incidental to construction work where such buildings or structures are removed upon completion of work.
- 5.05.04.03 Signs as provided for in Section 7.01 through 7.04.
- 5.05.04.04 Parking as provided for in Section 7.05 through 7.09.

- 5.05.04.05 Private swimming pool, tennis court and other similar facilities in conjunction with a residence.
- 5.05.04.06 Storage or parking of vehicles, boats, campers and trailer, as per Section 7.13.

**5.05.05 Height and Lot Requirements:**

5.05.05.01 The height and minimum lot requirements shall be as follows:

Uses	Lot Area (Acres)	Lot Width	Front Yard	Side Yard	Rear Yard	Max. Height	Max. Lot Coverage
Residential Dwelling	20	660'	75'	25'	25'	35'	-
Other Permitted Uses	20	660'	75'	25'	25'	45'	-
Other Permitted Conditional Uses	20	660'	75'	25'	25'	45'	-
Accessory Buildings	-	-	100'	25'	10'	17'	-

SECTION 2. Repeal of Section 5.05 as Previously Enacted. Section 5.05 of Ordinance No. 848 as previously enacted is hereby repealed.

SECTION 3. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 4. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

SECTION 5. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED THIS 21<sup>ST</sup> DAY OF APRIL 2015.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buehe, CMC  
City Clerk

ORDINANCE NO. \_\_\_\_

AN ORDINANCE TO AMEND SECTION 5.10 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.10 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. Amendment of Section 5.10. Section 5.10 of the Ordinance No. 848 is hereby amended to read as follows:

**Section 5.10 C-1 Shopping Center Commercial.**

**5.10.01 Intent:** This district adds certain design standards in comparison to zoning districts located along 84<sup>th</sup> Street and at the intersection of 96<sup>th</sup> and Giles Road. They are designed to promote:

- 5.10.01.01 Safe traffic circulation on and off and across the highway.
- 5.10.01.02 A high quality of design and site planning.
- 5.10.01.03 Flexibility in development in order to provide an attractive, viable employment corridor.

This district prohibits all exterior storage by a primary use unless a separate Conditional Use Permit is requested for the use and granted by the City.

**5.10.02 Permitted uses:**

- 5.10.02.01 *Medical/dental offices and business services including: attorneys, banks, insurance, real estate offices, postal stations, credit services, security brokers, dealers and exchange, title abstracting, finance services and investment services; but not including uses defined in Adult Establishment. (Ordinance No. 950, 3-1-05)*
- 5.10.02.02 Child care center.
- 5.10.02.03 Dance studio, not including uses defined in Adult Establishment.
- 5.10.02.04 Meeting hall, not including uses defined in Adult Establishment.
- 5.10.02.05 Museum, art gallery.
- 5.10.02.06 Retail business or service establishment supplying commodities or performing services, such as, or in compatibility with and including the following:
  - 1. Apparel shop.
  - 2. Appliance store.
  - 3. Antique store.
  - 4. Automobile parts and supply store.
  - 5. Bakery shop (retail).
  - 6. Barber and Beauty shop.
  - 7. Bicycle shop.
  - 8. Book store, not including uses defined in Adult Establishment.
  - 9. Brew-on premises store.
  - 10. Camera store.
  - 11. Communication services.
  - 12. Computer store.
  - 13. Confectionery.
  - 14. Dairy products sales.
  - 15. Drug store.
  - 16. Dry cleaning and laundry pickup.
  - 17. Exercise, fitness and tanning spa, not including uses defined in Adult Establishment.
  - 18. Food Sales (Limited).
  - 19. Food Sales (General).
  - 20. Floral shop.



21. Mortuary.
22. Furniture store or showroom.
23. Gift and curio shop.
24. Gunsmith.
25. Hardware store.
26. Hobby, craft, toy store.
27. Jewelry store.
28. Liquor store.
29. Locksmith.
30. Meat market, retail.
31. Music retail store.
32. Newsstands, not including uses defined in Adult Establishment.
33. Paint store.
34. Pet shop.
35. Photographer.
36. Picture framing shop.
37. Reservation center.
38. Restaurants, cafes and fast food establishments.
39. Second hand stores.
40. Shoe store.
41. Sporting goods.
42. Stamp and coin stores.
43. Tailors and dressmakers.
44. Tanning salon.
45. Travel agencies.
46. Video store, not including uses defined in Adult Establishment.
47. Social club and fraternal organizations, not including uses defined in Adult Establishment.
48. Telephone exchange.
49. Telephone answering service.
50. Public overhead and underground local distribution utilities.
51. *Publicly owned and operated facilities. (Ordinance No. 950, 3-1-05)*
52. *Animal Specialty Services, provided there is no overnight boarding of animals or outdoor exercise areas. (Ordinance No. \_\_\_\_\_, 4-21-15)*

#### 5.10.03 Permitted Conditional Uses:

- 5.10.03.01 Recreational establishments.
- 5.10.03.02 Department Store.
- 5.10.03.03 Variety store, not including uses defined in Adult Establishment.
- 5.10.03.04 Amusement arcades.
- 5.10.03.05 Brew Pubs.
- 5.10.03.06 Coffee Kiosks.
- 5.10.03.07 Micro breweries when in conjunction with a restaurant.
- 5.10.03.08 Automated Teller Machines when not within the interior of a primary use.
- 5.10.03.09 Theater, indoor, not including uses defined in Adult Establishment.
- 5.10.03.10 Bowling center.
- 5.10.03.11 Business or trade school.
- 5.10.03.12 Commercial greenhouse.
- 5.10.03.13 Mail order services.
- 5.10.03.14 Pinball or video games business.
- 5.10.03.15 Tavern and cocktail lounge, not including uses defined in Adult Establishment.
- 5.10.03.16 Totally enclosed, automated and conveyor-style car washes.
- 5.10.03.17 Convenience store with limited fuel sales.
- 5.10.03.18 Garden supply and retail garden center.
- 5.10.03.19 Outdoor storage in conjunction with another primary use.
- 5.10.03.20 Pet Health Services, provided the following:

1. Said use is totally enclosed within a building.
2. Said services shall be provided for dogs, cats, birds, fish, and similar small animals customarily used as household pets.
3. Typical uses include animal veterinary clinics with overnight boarding, only if medically necessary, not exceeding 48 hours.
4. Grooming shall only be associated with medical appointment.
5. This excludes uses for livestock and other large animals and uses for general grooming, dog bathing and clipping salons.

5.10.03.21

*Self-storage units, provided:*

1. *Storage unit is an extension of an existing self-storage unit or facility.*
2. *The topography and access of the property will limit the development of identified commercial uses.*
3. *No outdoor storage.*
4. *Unit or facility provides perimeter fencing in accordance with this ordinance and a vegetative screen of at least six (6) feet in height and twenty (20) feet in width to any adjacent residential zoned property.*
5. *Lighting on site shall not be directed at or allowed to shine on any residential zoned property.*
6. *Applications for self-storage units under the terms of this Section shall be accompanied by evidence concerning the feasibility of the proposed request and its affect on surrounding property and shall include a site plan defining the areas to be developed with buildings and/or structures, the areas to be developed for parking, driveways and points of ingress and egress, the location and height of walls and fences, the location and type of landscaping, and the location, size and number of signs.*
7. *Such use shall not be located adjacent to the intersection of two or more arterial streets.*
8. *The property shall have at least one boundary line that is adjacent to other property that is zoned I-1 Light Industrial or I-2 Heavy Industrial.*
9. *Such use shall not include storage of explosives or hazardous materials and shall be in accordance with the intent, purpose and spirit of this ordinance and the Comprehensive Development Plan of La Vista, Nebraska.*

**(Ordinance No. 954, 7-5-05)**

5.10.03.22

*Event center, provided:*

1. *A conditional use permit would need to include specifics to the design and operation of the proposed center and individual activities, including, but not limited to, a detailed site plan and floor plan, a complete list of appointed or designated managers for each event at the center, and a complete description and duration of each event submitted to the city prior to each event.*
2. *Lighting on site shall not be directed at or allowed to shine on any residential zoned property.*
3. *Buildings utilized as event centers shall be accompanied by evidence concerning the feasibility of the proposed request and its affect on surrounding property and shall include a site plan defining the areas to be developed with buildings and/or structures, the areas to be developed for parking, driveways and points of ingress and egress, the location and height of walls and fences, the location and type of landscaping, and the location, size and number of signs.*
4. *All signage shall comply with the City's established regulations.*

**(Ordinance No. 955, 7-19-05)**

5.10.03.23

*Animal Specialty Services including overnight boarding of animals and outdoor exercise areas. (Ordinance No. \_\_\_\_\_, 4-21-15)*

**5.10.04 Permitted Accessory Uses:**

- |            |  |
|------------|--|
| 5.10.04.01 | Buildings and uses customarily incidental to the permitted uses. |
| 5.10.04.02 | Parking as allowed in Section 7.05 through 7.09.                 |
| 5.10.04.03 | Signs allowed in Section 7.01 through 7.04.                      |

5.10.04.04 Landscaping as required by Section 7.17.

**5.10.05 Permitted Temporary Uses**

Temporary Uses require a permit from the City of La Vista and shall be valid only for a specific amount of time as indicated on said permit. *All platted lots or tracts of land may have a maximum number of four (4) temporary uses per calendar year. Such uses shall not last more than two (2) weeks per use, except as provided for hereafter. (Ordinance No. 998, 7-18-06)*

- 5.10.05.01 Temporary greenhouses.
- 5.10.05.02 Temporary structures as needed for sidewalk and other outdoor sales events.
- 5.10.05.03 Fireworks stands, provided the criteria are met as established by the City through separate Ordinances.
- 5.10.05.04 Buildings and uses incidental to construction work *are permitted to remain until completion or abandonment of the construction work, at which time they shall be removed. (Ordinance No. 998, 7-18-06)*
- 5.10.05.05 Temporary structure for festivals or commercial events.

**5.10.06 Height and Lot Requirements:**

5.10.06.01 The height and minimum lot requirements shall be as follows:

Uses	Lot Area (SF)	Lot Width	Front Yard	Side Yard	Rear Yard	Max. Height	Max. Lot Coverage
Permitted Uses	-	150'	25' <sup>1</sup>	10'	25'	45'	60%
Permitted Conditional Uses	-	150'	25' <sup>1</sup>	10'	25'	45'	60%

<sup>1</sup> 25' front yard setback required only when no parking is present in the front yard. If parking is located in the front yard then front yard setback is a minimum of fifty (50) feet.

**5.10.07 Use Limitations:**

- 5.10.07.01 When adjacent to residentially zoned land, no parking, drives or signs shall be allowed in any required yard within fifteen (15) feet of such district.
- 5.10.07.02 Furthermore, permanent screening shall be provided in this area in order to minimize impacts on residentially zoned property, as per Section 7.17.04.
- 5.10.07.03 Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.

SECTION 2. Repeal of Section 5.10 as Previously Enacted. Section 5.10 of Ordinance No. 848 as previously enacted is hereby repealed.

SECTION 3. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 4. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

SECTION 5. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED THIS 21<sup>ST</sup> DAY OF APRIL 2015.

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

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ORDINANCE NO. \_\_\_\_

AN ORDINANCE TO AMEND SECTION 5.11 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.11 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. Amendment of Section 5.11. Section 5.11 of the Ordinance No. 848 is hereby amended to read as follows:

**Section 5.11 C-2 General Commercial District**

**5.11.01 Intent:** The General Commercial District is intended to establish standards that will foster and maintain an area within the district boundaries that will benefit the retail trade, business, cultural, and social activities of the entire community. In addition, this district prohibits all exterior storage by a primary use unless a separate Conditional Use Permit is requested for the use and granted by the City.

**5.11.02 Permitted Uses:**

- 5.11.02.01 *Medical/dental offices and business services including: attorneys, banks, insurance, real estate offices, postal stations, printing, credit services, security brokers, dealers and exchange, title abstracting, finance services and investment services; but not including uses defined in Adult Establishment. (Ordinance No. 950, 3-1-05)*
- 5.11.02.02 Child care center.
- 5.11.02.03 Dance studio, not including uses defined in Adult Establishment.
- 5.11.02.04 Meeting hall, not including uses defined in Adult Establishment.
- 5.11.02.05 Museum, art gallery.
- 5.11.02.06 Retail business or service establishment supplying commodities or performing services, such as, or in compatibility with and including the following:
  - 1. Apparel shop.
  - 2. Appliance store.
  - 3. Antique store.
  - 4. Automobile parts and supply store.
  - 5. Bakery shop (retail).
  - 6. Barber and Beauty shop.
  - 7. Bicycle shop.
  - 8. Book store, not including uses defined in Adult Establishment.
  - 9. Brew-on premises store.
  - 10. Camera store.
  - 11. Communication services.
  - 12. Computer store.
  - 13. Confectionery.
  - 14. Dairy products sales.
  - 15. Drug store.
  - 16. Dry cleaning and laundry pickup.
  - 17. Exercise, fitness and tanning spa, not including uses defined in Adult Establishment.
  - 18. Floral shop.
  - 19. Mortuary.
  - 20. Food Sales (Limited).
  - 21. Food Sales (General).
  - 22. Furniture store or showroom.
  - 23. Gift and curio shop.
  - 24. Gunsmith.
  - 25. Hardware store.

26. Hobby, craft, toy store.
27. Jewelry store.
28. Liquor store.
29. Locksmith.
30. Meat market, retail.
31. Music retail store.
32. Music studio.
33. Newsstands, not including uses defined in Adult Establishment.
34. Paint store.
35. Pet shop.
36. Photographer.
37. Picture framing shop.
38. Reservation center.
39. Restaurants, cafes and fast food establishment.
40. Second hand stores.
41. Shoe store.
42. Sporting goods.
43. Stamp and coin stores.
44. Tailors and dressmakers.
45. Tanning salon.
46. Travel agencies.
47. Video store, not including uses defined in Adult Establishment.
48. Social club and fraternal organizations, not including uses defined in Adult Establishment.
49. Telephone exchange.
50. Telephone answering service.
51. Theater, indoor, not including uses defined in Adult Establishment.
52. Public overhead and underground local distribution utilities.
53. *Publicly owned and operated facilities. (Ordinance No. 950, 3-1-05)*
54. *Animal Specialty Services, provided there is no overnight boarding of animals or outdoor exercise areas. (Ordinance No. \_\_\_\_\_, 4-21-15)*

**5.11.03 Permitted Conditional Uses:**

- 5.11.03.01 Recreational establishments.
- 5.11.03.02 Variety store, not including uses defined in Adult Establishment
- 5.11.03.03 Amusement arcades.
- 5.11.03.04 Bowling center.
- 5.11.03.05 Brew Pubs.
- 5.11.03.06 Micro breweries when in conjunction with a restaurant.
- 5.11.03.07 Coffee Kiosks.
- 5.11.03.08 Automated Teller Machines when not within the interior of a primary use.
- 5.11.03.09 Business or trade school.
- 5.11.03.10 Garden supply and retail garden center.
- 5.11.03.11 Commercial greenhouse.
- 5.11.03.12 Mail order services.
- 5.11.03.13 Pinball or video games business.
- 5.11.03.14 Tavern and cocktail lounge, not including uses defined in Adult Establishment.
- 5.11.03.15 Totally enclosed, automated and conveyor-style car washes.
- 5.11.03.16 Convenience store with limited fuel sales.
- 5.11.03.17 Residences in conjunction with the principal use when located above the ground floor.
- 5.11.03.18 Churches, temples, seminaries, and convents including residences for teachers and pastors.
- 5.11.03.19 Car wash.
- 5.11.03.20 Retail building material sales; provided that the following minimum standards are present:
  1. All lumber shall be enclosed with the primary structure.

2. All year round landscaping materials shall be enclosed within the primary structure.
  3. All outdoor storage shall be temporary and shall comply with the provisions for Temporary Uses, as per this Ordinance.
- 5.11.03.21 Service station with minor automobile repair services.  
 5.11.03.22 Tire store and minor automobile repair service.  
 5.11.03.23 *Animal Specialty Services including overnight boarding of animals and outdoor exercise areas. (Ordinance No. \_\_\_\_\_, 4-21-15)*

**5.11.04 Permitted Temporary Uses**

Temporary Uses require a permit from the City of La Vista and shall be valid only for a specific amount of time as indicated on said permit. *All platted lots or tracts of land may have a maximum number of four (4) temporary uses per calendar year. Such uses shall not last more than two (2) weeks per use, except as provided for hereafter. (Ordinance No. 998, 7-18-06)*

- 5.11.04.01 Temporary greenhouses.  
 5.11.04.02 Temporary structures as needed for sidewalk and other outdoor sales events.  
 5.11.04.03 Fireworks stands, provided the criteria are met as established by the City through separate Ordinances.  
 5.11.04.04 Buildings and uses incidental to construction work *are permitted to remain until completion or abandonment of the construction work, at which time they shall be removed. (Ordinance No. 998, 7-18-06)*  
 5.11.04.05 Temporary structure for festivals or commercial events.

**5.11.05 Permitted Accessory Uses**

- 5.11.05.01 Buildings and uses customarily incidental to the permitted uses.  
 5.11.05.02 Parking as permitted in Section 7.05 through 7.09.  
 5.11.05.03 Signs allowed in Section 7.01 through 7.04.  
 5.11.05.04 Landscaping as required by Section 7.17.

**5.11.06 Height and Lot Requirements:**

- 5.11.06.01 The height and minimum lot requirements shall be as follows:

Uses	Lot Area (SF)	Lot Width	Front Yard	Side Yard	Rear Yard	Max. Height	Max. Lot Coverage
Permitted Uses	10,000	-	25' <sup>1</sup>	15'	15'	45'	60%
Permitted Conditional Uses	10,000	-	25' <sup>1</sup>	15'	15'	45'	60%

<sup>1</sup> 25' front yard setback required only when no parking is present in the front yard. If parking is located in the front yard then front yard setback is a minimum of fifty (50) feet.

**5.11.07 Use Limitations:**

- 5.11.07.01 When adjacent to residentially zoned land, no parking, drives or signs shall be allowed in any required yard within fifteen (15) feet of such district. Furthermore, permanent screening shall be provided in this area in order to minimize impacts on residentially zoned property, as per Section 7.14.04.  
 5.11.07.02 Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.

**SECTION 2. Repeal of Section 5.11 as Previously Enacted.** Section 5.11 of Ordinance No. 848 as previously enacted is hereby repealed.

**SECTION 3. Severability Clause.** If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 4. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

SECTION 5. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED THIS 21<sup>ST</sup> DAY OF APRIL 2015.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk



ITEM C

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
APRIL 21, 2015 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
ZONING TEXT AMENDMENTS — INDUSTRIAL CONDOMINIUMS	◆ RESOLUTION ORDINANCES (3) RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A public hearing has been scheduled and ordinances prepared to amend Sections 2.02, 5.13 and 5.14 of the Zoning Ordinance regarding a new use, Industrial Condominiums.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approve.

**BACKGROUND**

A public hearing has been scheduled to consider amendments to Sections 2.02, 5.13 and 5.14 of the Zoning Ordinance.

Staff has received a few inquiries on the possibility of industrial condominiums. As this use is not currently addressed within the City's Zoning Ordinance, staff has prepared revisions to the I-1 Light Industrial and I-2 Heavy Industrial zoning districts to provide for the use to be allowable through the approval of a Conditional Use Permit. Section 2.02 (Definitions) has also been modified to include a definition for industrial condominiums and to revise the existing definition for residential condominiums.

See the attached red-line copy of the proposed amendments.

The Planning Commission held a public hearing on March 19, 2015 and, through a vote of 8-1, recommended approval of the amendments to City Council.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND SECTION 2.02 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 2.02 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. Amendment of Section 2.02. Section 2.02 of the Ordinance No. 848 is hereby amended to read as follows:

**Section 2.02 Definitions.**

- 2.02.01 **ABANDONMENT** shall mean to cease or discontinue a use or activity without intent to resume as distinguished from short term interruptions such as during periods of remodeling, maintenance, or normal periods of vacation or seasonal closure.
- 2.02.02 **ABUT, ABUTTING** shall mean to border on, being contiguous with or have property or district lines in common, including property separated by an alley.
- 2.02.03 **ACCESS OR ACCESS WAY** shall mean the place, means, or way by which pedestrians and vehicles shall have safe, adequate and usable ingress and egress to a property or use as required by this Regulation.
- 2.02.04 **ACCESSORY BUILDING** (see Building, accessory)
- 2.02.05 **ACCESSORY STRUCTURE** shall mean a detached subordinate structure located on the same lot with the principal structure, the use of which is incidental and accessory to that of the principal structure.
- 2.02.06 **ACCESSORY USE** shall mean a use incidental, related, appropriate and clearly subordinate to the main use of the lot or building, which accessory use does not alter the principal use of the subject lot or affect other properties in the district.
- 2.02.07 **ADJACENT** shall mean near, close, or abutting; for example, an Industrial District across the street or highway from a Residential District shall be considered as "Adjacent".
- 2.02.08 **ADULT BOOKSTORE** shall mean any premises from which minors are excluded and in which the retail sale of books, magazines, newspapers, movie films, devices, slides, or other photographic or written reproductions is conducted as a principal use of the premises, if such services are distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas." (*Ordinance No. 1083, 2-17-09*)
- 2.02.09 **ADULT COMPANIONSHIP ESTABLISHMENT** shall mean an establishment which provides the service of engaging in or listening to conversation, talk or discussion between an employee of the establishment and a customer, if such service is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."
- 2.02.10 **ADULT ENTERTAINMENT ESTABLISHMENT** shall mean any business which offers its patrons services or entertainment characterized by an emphasis on matter depicting, exposing, describing, discussing or relating to "specified sexual activities" or "specified anatomical areas," including, but without limitation, adult bookstores, adult motion picture theaters, adult saunas, adult companionship establishments, adult health clubs, adult cabarets, adult novelty businesses, adult motion picture arcades, adult modeling studios, adult hotel or motel, adult internet industries, and adult massage parlor / health club. (*Ordinance No. 1083, 2-17-09*)

- 2.02.11 **ADULT HOTEL OR MOTEL** shall mean a hotel or motel from which minors are specifically excluded from patronage and wherein material is presented which is distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas."
- 2.02.12 **ADULT INTERNET INDUSTRIES** shall mean any business within an enclosed building or outdoors that is producing materials for distribution on the Internet, including live video streaming, tape delayed video broadcasts, live simulcasting, still photographs, audio broadcasts, animated video or hard copy, wherein material is presented which is distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas." Said uses are intended for viewing by other parties while on-line and for a specified charge. (Ordinance No. 891, 2-04-03); (Ordinance No. 1083, 2-17-09)
- 2.02.13 **ADULT MASSAGE PARLOR, HEALTH CLUB** shall mean a massage parlor or health club, which restricts minors by reason of age, and which provides the services of massage, if such service is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."
- 2.02.14 **ADULT MINI-MOTION PICTURE THEATER** shall mean a business premises within an enclosed building with a capacity for less than 50 persons used for presenting visual-media material if such business as a prevailing practice excludes minors by virtue of age, or if said material is distinguished or characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.
- 2.02.15 **ADULT MOTION PICTURE ARCADE** shall mean any place to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled still or motor picture machines, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing "specified sexual activities" or "specified anatomical areas."
- 2.02.16 **ADULT MOTION PICTURE THEATERS** shall mean a business premises within an enclosed building with a capacity of 50 or more persons used for presenting visual media material if said business as a prevailing practice excludes minors by virtue of age, or if said material is distinguished or characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.
- 2.02.17 **ADULT NOVELTY BUSINESS** shall mean a business which has as a principal activity of the sale of devices which simulate human genitals or devices which are designed for sexual stimulation.
- 2.02.18 **ADULT SAUNA** shall mean a sauna which excludes minors by reason of age, or which provides a steam bath or heat bathing room used for the purpose of bathing, relaxation, or reducing, utilizing steam or hot air as a cleaning, relaxing or reducing agent, if the service provided by the sauna is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."
- 2.02.19 **ADVERTISING STRUCTURE** shall mean any notice or advertisement, pictorial or otherwise, and all such structures used as an outdoor display, regardless of size and shape, for the purposes of making anything known, the origin or place of sale of which is not on the property with such Advertising Structure.
- 2.02.20 **AGRICULTURAL AND FARM BUILDINGS AND STRUCTURES** shall mean any building or structure which is necessary or incidental to the normal conduct of a farm including but not limited to residence of the operator, residence of hired men, barns, buildings and sheds for housing livestock, poultry and farm machinery, buildings for the storage or shelter of grain, hay and other crops, silos, windmills and water storage tanks.
- 2.02.21 **AGRICULTURE** shall mean the use of land for agricultural purposes, of obtaining a profit by raising, harvesting, and selling crops or by the feeding, breeding, management, and sale of, or the produce of, livestock, poultry, fur-bearing animals, or honeybees, or for dairying and the sale of dairy products, or any

other agricultural or horticultural use. Agricultural use shall not be construed to include any parcel of land of less than twenty acres or any non-agricultural commercial or industrial development.

- 2.02.22 **AIRPORT** shall mean any area which is used or is intended to be used for the taking off and landing of aircraft, including helicopters, and any appurtenant areas which are used or are intended to be used for airport buildings or facilities, including open spaces, taxiways, and tie-down areas.
- 2.02.23 **ALLEY** shall mean a minor public service street or public thoroughfare 20 feet or less in width, through a block of lots primarily for vehicular service access to the rear or side of properties otherwise abutting on another street. Buildings facing an alley shall not be construed as satisfying the requirements of this regulation related to frontage on a dedicated street.
- 2.02.24 **ALTERATION** shall mean any change, addition or modification in construction or occupancy of an existing structure.
- 2.02.25 **AMENDMENT** shall mean a change in the wording, context, or substance of this Regulation, an addition or deletion or a change in the district boundaries or classifications upon the zoning map.
- 2.02.26 **AMUSEMENT ARCADE** shall mean a building or a part of a building where five or more pinball machines, video games, or other similar player-orientated amusement devices are available and are maintained for use.
- 2.02.27 **ANIMAL HOSPITAL** (see Hospital, animal)
- 2.02.28 **ANIMAL SPECIALTY SERVICES** shall refer to establishments primarily engaged in pet grooming, clipping, bathing, daycare, training courses, obedience classes, and similar services. Does not include veterinary services or overnight boarding kennels. (Ordinance No. 1053, 1-15-08)
- 2.02.29 **ANTENNA** shall mean any attached or external system of wires, poles, rods, reflecting disks or similar devices used for the transmission or reception of electromagnetic waves. (Also, see Satellite Dish Antenna.)
- 2.02.30 **ANTIQUÉ STORE** shall mean a place offering primarily antiques for sale. An antique for the purpose of this ordinance shall be a work of art, piece of furniture, decorative object, or the like, belonging to the past, at least 30 years old. (Ordinance No. 1083, 2-17-09)
- 2.02.31 **APARTMENT** shall mean a room or a suite of rooms within an apartment house or multiple family dwelling arranged, intended or designed for a place of residence of a single family or group of individuals living together. (Also, see Dwelling Unit)
- 2.02.32 **APPAREL SHOP** shall mean retail stores where clothing is sold, such as department stores, shoe stores, and dress, hosiery, and millinery shops. (Ordinance No. 1083, 2-17-09)
- 2.02.33 **APPLIANCE STORE** shall refer to retail shops selling equipment used for domestic functions. A store may include heavy appliances such as refrigerators, washers, dryers, ovens, dishwashers, or other similar domestic equipment. The store may also include smaller appliances such as televisions, computers, radios, microwaves, and other similar domestic equipment. (Ordinance No. 1083, 2-17-09)
- 2.02.34 **APPEARANCE** shall mean the outward aspect visible to the public.
- 2.02.35 **APPROPRIATE** shall mean the sympathetic, or fitting, to the context of the site and the whole community.
- 2.02.36 **APPURTENANCES** shall mean the visible, functional objects accessory to and part of buildings.
- 2.02.37 **ARCHITECTURAL CANOPY SIGN** (see Sign, architectural canopy)

- 2.02.38 **ARCHITECTURAL CHARACTER** (see Architectural Concept)
- 2.02.39 **ARCHITECTURAL CONCEPT** shall mean the basic aesthetic idea of a building, or group of buildings or structures, including the site and landscape development. **(Ordinance No. 1083, 2-17-09)**
- 2.02.40 **ARCHITECTURAL FEATURE** shall mean a prominent or significant part or element of a building, structure, or site. Architectural features may include special lines, massing, and/or texture.
- 2.02.44.01 **LINES** shall mean visual elements of the building, either within the façade or on the building edge, which are in a linear form either horizontally or vertically and may be composed of masonry, glass, or other related materials.
- 2.02.44.02 **MASS** shall pertain to the volume or bulk of a building or structure.
- 2.02.44.03 **TEXTURE** shall mean the quality of a surface, ranging from mirror finish, smooth, to coarse and unfinished.
- 2.02.41 **ARCHITECTURAL STYLE** shall mean the characteristic form and detail, as of buildings of a particular historic period.
- 2.02.42 **ART GALLERY** shall mean an establishment engaged in the sale, loan, or display of art books, paintings, sculpture, or other works of art. This clarification does not include libraries, museums, or non-commercial art galleries. **(Ordinance No. 1083, 2-17-09)**
- 2.02.43 **ASSISTED LIVING FACILITIES** shall mean a type of long-term care facility for elderly or disabled people needing assistance with daily activities such as eating, bathing, dressing, laundry, housekeeping, and medicating. These facilities typically have a central cafeteria and nursing staff on call.
- 2.02.44 **ATTACHED** shall mean attached to real estate in such a way as to require dismantling, cutting away, unbolting from a permanent foundation or structural change in such structure in order to relocate it to another site. **(Ordinance No. 1083, 2-17-09)**
- 2.02.45 **AUCTION SALES** shall mean a building or structure or lands used for the storage of goods, materials or livestock which are to be sold on the premises by public auction and for the sale of the said goods, materials or livestock by public auction and on an occasional basis. Auction sales also includes motor vehicle wholesale sales, including trailers, trucks, vans, recreational vehicles, boats or motorcycles or other similar motorized transportation vehicles. **(Ordinance No. 891, 2-04-03)**
- 2.02.46 **AUTOMATED TELLER MACHINE (ATM)** shall mean an automated device that performs banking or financial functions at a location remote from the controlling financial institution. **(Ordinance No. 1083, 2-17-09)**
- 2.02.47 **AUTOMOBILE SALES** shall mean the storage and display for sale or lease of more than two motor vehicles or any type of trailer (provided the trailer is unoccupied) at any one time and/or a total of ten or more sold or leased during the course of a calendar year, and where repair or body work is incidental to the operation of the new or used vehicle sales or leasing. Automobile sales includes all motor vehicle retail sales and leases including trucks, vans, recreational vehicles, boats or motorcycles or other similar motorized transportation vehicles. (Also, see Auction Sales) **(Ordinance No. 891, 2-04-03)**
- 2.02.48 **AUTOMOTIVE REPAIR SERVICES** shall refer to any building, structure, improvements, or land used for the repair and maintenance of automobiles, motorcycles, trucks, trailers, or similar vehicles including but not limited to body, fender, muffler, or upholstery work; oil change and lubrication; major painting services; collision services; and tire service and sales. **(Ordinance No. 1053, 1-15-08)**

- 2.02.49 **AUTOMOTIVE SERVICES** shall refer to any building, structure, improvements or land used for the general maintenance of automobiles, motorcycles, trucks, trailers or similar vehicles including but not limited to washing, cleaning, and/or detailing; installation of car stereos, accessories, or other light equipment; and minor painting. (Ordinance No. 1053, 1-15-08)
- 2.02.50 **BAKERY SHOP** shall mean an establishment primarily engaged in the retail sale of baked products. The products may be prepared either on or off site. A bakery shall be considered a general retail use. (Ordinance No. 1083, 2-17-09)
- 2.02.51 **BANK** shall mean a freestanding building or secondary use within a building, with or without a drive-up window, for the custody, loan, or exchange of money; for the extension of credit; and for facilitating the transmission of funds. (Ordinance No. 1083, 2-17-09)
- 2.02.52 **BASEMENT** shall mean a building space partly underground, and having at least one-half (1/2) of its height, measuring from its floor to its ceiling, above the average adjoining finished ground grade line.
- 2.02.53 **BEACON** shall mean any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotate or move.
- 2.02.54 **BEAUTY SHOP** shall mean any establishment where cosmetology services are provided including hair care, nail care, and skin care on a regular basis for compensation. (Ordinance No. 1083, 2-17-09)
- 2.02.55 **BED and BREAKFAST** shall mean a house, or portion thereof, where short-term lodging rooms and meals are provided. The operator shall live on the premises. (Ordinance No. 1083, 2-17-09)
- 2.02.56 **BEDROOM** shall mean a room within a dwelling unit planned and intended for sleeping, separated from other rooms by a door.
- 2.02.57 **BERM** shall mean a raised form of earth to provide screening or to improve the aesthetic character.
- 2.02.58 **BILLBOARD** (see Sign, Billboard)
- 2.02.59 **BLOCK** shall mean a parcel of land platted into lots and bounded by public streets or by waterways, rights-of-way, unplatted land, City-County boundaries, or adjoining property lines.
- 2.02.60 **BOARD OF ADJUSTMENT** shall mean that board that has been created by the city and which has the statutory authority to hear and determine appeals, interpretations of, and variances to the zoning regulations.
- 2.02.61 **BOARDING HOUSE** shall mean a building containing a single dwelling unit and provisions for not more than five (5) guests, where lodging is provided with or without meals for compensation. (Also, see Bed and Breakfast) (Ordinance No. 1083, 2-17-09)
- 2.02.62 **BOOK STORE** shall mean a retail establishment that, as its primary business, engages in the sale, rental, or other charge-for-use of books, magazines, newspapers, greeting cards, postcards, videotapes, computer software, or any other printed or electronically conveyed information or media, excluding any uses defined as "adult entertainment establishments." (Ordinance No. 1083, 2-17-09)
- 2.02.63 **BOWLING CENTER** shall mean an establishment that devotes more than 50 percent of its gross floor area to bowling lanes, equipment, and playing area. Accessory uses such as the retail sale of snacks, the retail sale of beverages, and a video game arcade are customary. (Ordinance No. 1083, 2-17-09)
- 2.02.64 **BREW-ON PREMISES STORE** shall mean a facility that provides the ingredients and equipment for a customer to use to brew malt liquor at the store. Brew-on-premises stores do not include the sale of intoxicating liquor, unless the owner of the brew-on-premises store holds the appropriate liquor license.

2.02.65 **BREW PUB** shall mean a restaurant or hotel which includes the brewing of beer as an accessory use. The brewing operation processes water, malt, hops, and yeast into beer or ale by mashing, cooking, and fermenting. By definition, these establishments produce no more than 10,000 barrels of beer or ale annually. The area, by definition, used for brewing, including bottling and kegging, shall not exceed twenty-five (25) percent of the total floor area of the commercial space.

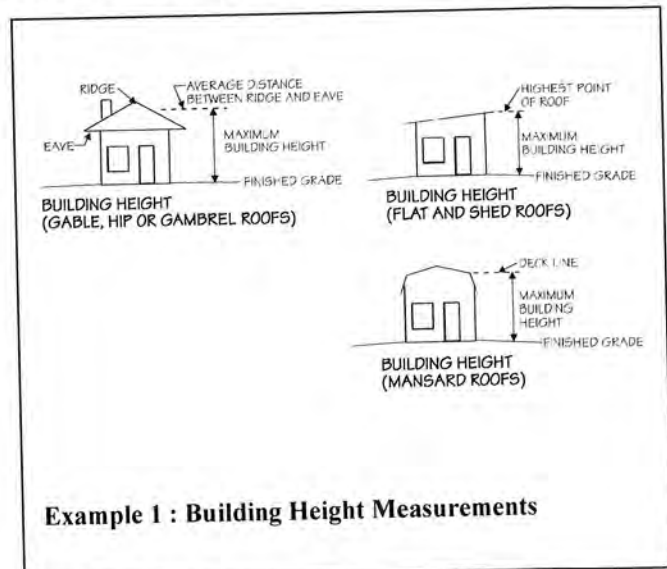
2.02.66 **BUFFER** shall mean a strip of land established to protect one type of land use from another incompatible land use or between a land use and a private or public road. (Also, see Screening)

2.02.67 **BUILDING** shall mean any structure built and maintained for the support, shelter or enclosure of persons, animals, chattels, or property of any kind, but shall not include temporary buildings as defined in "Structure, Temporary". Trailers, with or without wheels, shall not be considered as buildings.

2.02.68 **BUILDING, ACCESSORY** shall mean any detached subordinate building which serves a function customarily incidental to that of the main building or main use of the premises. Customary accessory building includes farm buildings, garages, carports, and small storage sheds.

2.02.69 **BUILDING CODE** shall mean the various codes of the City that regulate construction and requires building permits, electrical permits, mechanical permits, plumbing permits, and other permits to do work regulated by the Uniform Building Code, and other codes adopted by the City that pertain to building construction.

2.02.70 **BUILDING HEIGHT** shall mean the vertical distance above grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the average height of the highest gable of a pitched, hipped, or shed roof, measured from the highest adjoining sidewalk or ground surface within a five (5) foot horizontal distance at the exterior wall of the building. (Also, see Height) (Ordinance No. 1083, 2-17-09)



2.02.71 **BUILDING INSPECTOR** shall mean the Chief Building Official of the City of La Vista, Nebraska. (Ordinance No. 1083, 2-17-09)

2.02.72 **BUILDING SETBACK LINE** shall mean the minimum of distance as prescribed by this regulation between any property line and the closest point of the building line or face of any building or structure related thereto.

2.02.73 **BUSINESS OR TRADE SCHOOL** (see Special or Vocational Training Facilities) (Ordinance No. 1083, 2-17-09)

2.02.74 **BUSINESS SERVICES** shall mean establishments primarily engaged in rendering services to business establishments on a contract or fee basis, such as advertising, credit reporting, collection of claims, mailing, reproduction, stenographic, news syndicates, computer programming, photocopying, duplicating, data processing, services to buildings, and help supply services. (See also Standard Industrial Classification (SIC) Major Group 73, published by the U.S. Department of Labor.) (Ordinance No. 1053, 1-15-08)

- 2.02.75 **CAMPGROUND** shall mean a parcel of land intended for the temporary occupancy of tents, campers, and recreational vehicles and which primary purpose is recreational, having open areas that are natural in character.
- 2.02.76 **CAR WASH** shall mean a building or structure or an area of land with machine or hand operated facilities for the cleaning, washing, polishing, or waxing of motor vehicles, not including semi-trailer tractors, buses, and commercial fleets.
- 2.02.77 **CARPORT** shall mean a permanent roofed structure with not more than two (2) enclosed sides used or intended to be used for automobile shelter and storage.
- 2.02.78 **CELLAR** shall mean a building space having more than one-half (1/2) of its height below the average adjoining grade lines.
- 2.02.79 **CEMETERY** shall mean land used or intended to be used for the burial of the dead and dedicated for such purposes, including columbariums, crematoriums, and mausoleums.
- 2.02.80 **CHANGEABLE COPY** shall refer to a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without, altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this ordinance. A sign on which the only copy changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this ordinance. (Ordinance No. 1083, 2-17-09)
- 2.02.81 **CHANNEL** shall mean the geographical area within either the natural or artificial banks of a watercourse or drainway.
- 2.02.82 **CHARITABLE ORGANIZATION or CLUB** shall mean a public or semi-public institutional use of a philanthropic, charitable, benevolent, religious, or eleemosynary character, but not including sheltering or caring of animals. (Ordinance No. 1083, 2-17-09)
- 2.02.83 **CHILD CARE CENTER** shall mean an establishment other than a public or parochial school, which provides day care, play groups, nursery schools or education for thirteen (13) or more children under age 13, at any one time, from families other than that of the provider. In addition to these regulations, Child Care Centers shall meet all requirements of the State of Nebraska.
- 2.02.84 **CHILD CARE HOME** shall mean an operation in the provider's place of residence which serves at least four (4), but not more than eight (8) children at any one time, from families other than that of the provider. A Family Child Care Home I provider may be approved to serve no more than two (2) additional school-age children during non-school hours. A Family Child Care Home II operation may be either in the provider's own place of residence or a site other than the residence, serving twelve (12) or fewer children at any one time. In addition to these regulations, Child Care Homes shall meet all requirements of the State of Nebraska.
- 2.02.85 **CITY** shall mean the City of La Vista.
- 2.02.86 **CODE** shall mean the Municipal Code of the City of La Vista.
- 2.02.87 **COFFEE KIOSK** shall mean a retail food business in a freestanding building that sells coffee, or other beverages, and remade bakery goods from a drive-through window or walk-up window. (Ordinance No. 1053, 1-15-08).
- 2.02.88 **COLLEGE AND UNIVERSITY** shall mean an educational institution offering advanced instruction in any academic field beyond the secondary level, including trade schools or business colleges. (Ordinance No. 1168, 3-6-12)



- 2.02.89 **COMMISSION** shall mean the La Vista Planning Commission.
- 2.02.90 **COMMERCIAL MESSAGE** shall mean any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity. (Ordinance No. 1083, 2-17-09)
- 2.02.91 **COMMON AREA OR PROPERTY** shall mean a parcel or parcels of land, together with the improvements thereon, the use and enjoyment of which are shared by the owners of the individual building sites in a Planned Development or condominium development.
- 2.02.92 **COMMUNICATION SERVICES** shall mean establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms. Excluded are facilities classified as major utility services or wireless communication towers. Typical uses include television studios, communication service centers, internet service offices, or film and sound recording facilities. (Ordinance No. 1083, 2-17-09)
- 2.02.93 **COMPATIBILITY** shall mean harmony in the appearance of two or more external design features in the same vicinity.
- 2.02.94 **COMPATIBLE USES** shall mean a land use which is congruous with, tolerant of, and has no adverse effects on existing neighboring uses. Incompatibility may be affected by pedestrian or vehicular traffic generation, volume of goods handled and environmental elements such as noise, dust, odor, air pollution, glare, lighting, debris generated, contamination of surface or ground water, aesthetics, vibration, electrical interference, and radiation.
- 2.02.95 **COMPREHENSIVE PLAN** shall mean the Comprehensive Plan of La Vista, Nebraska as adopted by the City Council, setting forth policies for the present and foreseeable future community welfare as a whole and meeting the purposes and requirements set forth in Section 19-903, R.R.S. 1943, as the same may, from time-to-time, be amended.
- 2.02.96 **CONDITIONAL USE** shall mean a use where allowed by the district regulations, that would not be appropriate generally throughout the zoning district without restrictions, but which, if controlled as to number, size, area, location, relation to the neighborhood or other minimal protective characteristics would not be detrimental to the public health, safety, and general welfare.
- 2.02.97 **CONDITIONAL USE PERMIT** shall mean a permit issued by the Planning Commission and City Council that authorizes the recipient to make conditional use of property in accordance with the provisions of Article 6 and any additional conditions placed upon, or required by said permit.
- 2.02.98 **CONDOMINIUM** shall mean a structure or structures proposed for construction comprising a project in which an undivided interest in the land is coupled with the right to the exclusive occupancy of a designated residential space and/or spaces and accompanying facilities. (Ordinance No. \_\_\_\_\_, 4-21-15)
- 2.02.99 **CONGREGATE HOUSING** shall mean a residential facility for four or more persons fifty-five (55) years or over, their spouses, or surviving spouses, providing living and sleeping facilities including meal preparation, dining areas, laundry services, room cleaning and common recreational, social, and service facilities for the exclusive use of all residents including resident staff personnel who occupy a room or unit in the residential facility. (Also see Housing for the elderly)
- 2.02.100 **CONSERVATION** shall mean the protection and care that prevent destruction or deterioration of historical or otherwise significant structures, buildings or natural resources.
- 2.02.101 **CONSERVATION AREA** shall mean environmentally sensitive and valuable lands protected from any activity that would significantly alter their ecological integrity, balance or character, except in overriding public interest, including but not limited to: wetlands, floodways, flood plains, drainage ways, river or stream banks, and areas of significant biological productivity or uniqueness.

- 2.02.102 **CONSERVATION EASEMENT** shall mean an easement granting a right or interest in real property that is appropriate to retaining land or water areas predominantly in their natural, scenic, open, or wooded condition and retaining such areas as suitable habitat for fish, plants, or wildlife, or maintaining existing land uses.
- 2.02.103 **CONSTRUCTION** shall mean on-site erection, fabrication, installation, alteration, demolition, or removal of any structure, facility, or addition thereto, including all related activities, but not restricted to, clearing of land, earth moving, blasting and landscaping. (Ordinance No. 1083, 2-17-09)
- 2.02.104 **CONTIGUOUS** shall mean the same as "Abut".
- 2.02.105 **CONTINUING CARE RETIREMENT COMMUNITY** shall offer services and housing packages that allow access to senior independent living, assisted living, and nursing care facilities. Seniors who are independent may live in a single-family home, apartment or condominium within the Continuing Care Retirement Community. When members of the community begin to need help with activities of daily living (e.g. bathing, dressing, eating, etc.), they may be transferred to an assisted living or nursing care facility on the same site.
- 2.02.106 **CONVENIENCE STORE** shall mean a one-story, retail store that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a "supermarket.") It is dependent on, and is designed to attract and accommodate large volumes of stop-and-go traffic. Fuel sales shall be limited to automobiles, pick-up trucks, boats, recreational vehicles, motorcycles, and small motorized equipment. (Ordinance No. 1083, 2-17-09)
- 2.02.107 **DENSITY** shall mean the number of dwelling units per gross acre of land.
- 2.02.108 **DEVELOPER** shall mean any person, corporation, partnership, or entity that is responsible for any undertaking that requires a building or zoning permit, conditional use permit or sign permit.
- 2.02.109 **DEVELOPMENT** shall mean any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations for which necessary permits may be required. Also, shall mean any material change in the use or appearance of any structure or in the land itself; the division of land into separate lots; any change in the intensity or use of land, such as an increase in the number of dwelling units in a structure or a change to a commercial or industrial use from a less intensive use; any activity that alters a river, stream, lake, pond, woodland, wetland, endangered species habitat, aquifer or other resource area. (Ordinance No. 1083, 2-17-09)
- 2.02.110 **DOG KENNEL** (See Kennel)
- 2.02.111 **DOWNZONING** shall mean a change in zoning classification of land to a less intensive or more restrictive district such as from commercial district to residential district or from a multiple family residential district to single family residential district.
- 2.02.112 **DRAINAGE** shall mean the removal of surface water or groundwater from land by drains, grading, or other means that include runoff controls to minimize erosion and sedimentation during and after construction or development, the means for preserving the water supply, and the prevention or alleviation of flooding. (Ordinance No. 1083, 2-17-09)
- 2.02.113 **DRIVEWAY** shall mean any vehicular access to an off-street parking or loading facility.
- 2.02.114 **DUPLEX** shall mean the same as "Dwelling, Two (2) Family".
- 2.02.115 **DWELLING** Any building or portion thereof which is designed and used exclusively for single family residential purposes, excluding mobile homes.

- 2.02.116 **DWELLING, MOBILE HOME** Any prefabricated structure, composed of one or more parts, used for living and sleeping purposes, shipped or moved in essentially a complete condition and mounted on wheels, skids or rollers, jacks blocks, horses, skirting or a permanent or temporary foundation or any prefabricated structure which has been or reasonably can be equipped with wheels or other devices for transporting the structure from place to place, whether by motive power or other means. The term mobile home shall include trailer home and camp car, but the definition shall not apply to any vehicle lawfully operated upon fixed rails.
- 2.02.116.1 Permanently Attached: Attached to real estate in such a way as to require dismantling, cutting away, unbolting from permanent continuous foundation or structural change in such mobile home in order to relocate it on another site in accordance to manufacturers recommendations.
- 2.02.116.2 Permanent Foundation: Base on which building rests to be constructed from either poured concrete or laid masonry block or brick placed on a footing located below ground level to a point below the frost line. (*Ordinance No. 1083, 2-17-09*)
- 2.02.117 **DWELLING, MULTIPLE FAMILY** shall mean a building or buildings designed and used for occupancy by three (3) or more families, all living independently of each other and having separate kitchen and toilet facilities for each family. (*Ordinance No. 1083, 2-17-09*)
- 2.02.118 **DWELLING, SINGLE FAMILY** a building having accommodations for or occupied exclusively by one family which meet all the following standards:
- 2.02.118.1 The home shall have no less than nine hundred (900) square feet of floor area, above grade, for single story construction;
- 2.02.118.2 The home shall have no less than an eighteen (18) foot exterior width;
- 2.02.118.3 The roof shall be pitched with a minimum vertical rise of two and one-half (2 1/2) inches for each twelve (12) inches of horizontal run;
- 2.02.118.4 The exterior material shall be of a color, material and scale comparable with those existing in residential site-built, single family construction;
- 2.02.118.5 The home shall have a non-reflective roof material that is or simulates asphalt or wood shingles, tile, or rock;
- 2.02.118.6 The home shall be placed on a continuous permanent foundation and have wheels, axles, transporting lights, and removable towing apparatus removed;
- 2.02.118.7 The home shall meet and maintain the same standards that are uniformly applied to all single-family dwellings in the zoning district; and
- 2.02.118.8 Permanent foundation: continuous perimeter base on which building rests to be constructed from either poured concrete or laid masonry block or brick placed on a footing located below ground level to a point below the frost line. (*Ordinance No. 1083, 2-17-09*)
- 2.02.119 **DWELLING, TWO (2) FAMILY** shall mean a building designed or used exclusively for the occupancy of two (2) families living independently of each other and having separate kitchen and toilet facilities for each family.
- 2.02.120 **DWELLING UNIT** One room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy or lease on a weekly, monthly, or longer basis, and physically separate from any other rooms or dwelling units which may be in the same structure, and containing independent cooking, toilet and sleeping facilities.
- 2.02.121 **EASEMENT** shall mean a space or a lot or parcel of land reserved for or used for public utilities or public or private uses.
- 2.02.122 **EDUCATIONAL FACILITY** shall mean a public or nonprofit institution or facility which conducts regular academic instruction at preschool, kindergarten, elementary, secondary, and collegiate levels, including graduate schools, universities, junior colleges, trade schools, nonprofit research institutions and religious institutions. Such institutions must either: (1) Offer general academic instruction equivalent to

the standards established by the State Board of Education; or (2) Confer degrees as a college or university or undergraduate or graduate standing; or (3) Conduct research; or (4) Give religious instruction. Private schools, academies, or institutes incorporated or otherwise, which operate for a profit, commercial, or private trade schools are not included in this definition. (*Ordinance No. 1083, 2-17-09*)

- 2.02.123 **EFFECTIVE DATE** shall mean the date that this Ordinance shall have been adopted, amended, or the date land areas became subject to the regulations contained in this Ordinance as a result of such adoption or amendment.
- 2.02.124 **ENCROACHMENT** shall mean an advancement or intrusion beyond the lines or limits as designated and established by the Regulation, and to infringe or trespass into or upon the possession or right of others without permission.
- 2.02.125 **ENLARGEMENT** shall mean the expansion of a building, structure, or use in volume, size, area, height, length, width, depth, capacity, ground coverage, or in number.
- 2.02.126 **ENTERTAINMENT VENUE** shall mean any activity that includes, but is not limited to, a theatrical performance, live music performance, live or "virtual" disc jockey, or live or "virtual" master of ceremonies, held indoors or outdoors to which members of the public are invited with or without charge. (*Ordinance No. 1219, 7-15-14*)
- 2.02.127 **ERECTED** shall mean constructed upon or moved onto a site.
- 2.02.128 **EVENT CENTER** shall mean all buildings and associated parking facilities which are kept, used, maintained, advertised, held out, leased out, or otherwise made available to private groups and/or the general public for such purposes as meetings, civic, educational, political, religious or social purpose such as receptions, dances, entertainment, secondhand merchandise sales and the like, and may include a banquet hall, private club or fraternal organization, but not including uses defined in Adult Establishment. (*Ordinance No. 955, 7-19-05*)
- 2.02.129 **EXERCISE, FITNESS and TANNING SPA** shall mean an establishment that provides exercise facilities for the purposes of running, jogging, aerobics, weight lifting, court sports, and/or swimming, as well as locker rooms, showers, massage rooms, tanning beds, hot tubs, saunas or other related accessory uses; however, excluding any uses defined as "adult entertainment establishments". (*Ordinance No. 1083, 2-17-09*)
- 2.02.130 **EXTERNAL DESIGN FEATURE** shall mean the general arrangement of any portion of a building, sign, landscaping, or structure and including the kind, color, and texture of the materials of such portion, and the types of roof, windows, doors, lights, attached or ground signs, or other fixtures appurtenant to such portions as will be open to public view from any street, place, or way.
- 2.02.131 **EXTRATERRITORIAL JURISDICTION** shall mean the area beyond the corporate limits, in which the City has been granted the powers by the state to exercise zoning and building regulations and is exercising such powers.
- 2.02.132 **FACADE** shall mean the exterior wall of a building exposed to public view from the building's exterior.
- 2.02.133 **FACTORY** shall mean a structure or plant within which something is made or manufactured from raw or partly wrought materials into forms suitable for use.
- 2.02.134 **FAMILY** shall mean a person living alone, or any of the following groups living together as a single nonprofit housekeeping unit and sharing common living, sleeping, cooking, and eating facilities: (1) any number of people related by blood, marriage, adoption, guardianship, or duly-authorized custodial relationship; (2) up to four unrelated people and any related children; and (3) a group care home.

*Family does not include any society, club, fraternity, sorority, association, lodge, organization, group of students, or other individuals where the common living arrangement is temporary or seasonal. Also, the term does not include any group of individuals who are in a group living arrangement as a result of criminal offenses. (Ordinance No. 1083, 2-17-09)*

- 2.02.135 **FARM** an area containing at least twenty (20) acres or more which is used for growing of the usual farm products such as vegetables, fruit, and grain; storing of such products; and/or raising farm animals. The term farming includes the operating of such area for two or more of the above uses with the necessary accessory uses for treating or storing the produce and the feeding of livestock as hereinafter prescribed provided such accessory uses do not include the feeding of garbage or offal to swine or other animals. (Ordinance No. 1083, 2-17-09)
- 2.02.136 **FEEDLOT** shall mean a lot, yard, corral or other area in which livestock are confined, primarily for the purpose of feeding and growth prior to slaughter. The term does not include areas which are used for raising crops or other vegetation or upon which livestock are allowed to graze.
- 2.02.137 **FENCE, OPEN** shall mean a fence, including gates, which has fifty percent (50%) or more of the surface area in open spaces which affords direct views through the fence. (Ordinance No. 1083, 2-17-09)
- 2.02.138 **FENCE, SEASONAL** shall mean a temporary fence constructed of plastic or wood lathe erected and maintained from October through April to prevent snow drifting. (Ordinance No. 871, 10-15-02)
- 2.02.139 **FENCE, SOLID** shall mean any fence which does not qualify as an open fence.
- 2.02.140 **FESTIVAL** shall mean the sale of ethnic specialty, regional, and gourmet foods, art and crafts, live musical entertainment, in an outdoor setting. (Ordinance No. 1083, 2-17-09)
- 2.02.141 **FLOOD** (see Section 5.18.25 of this Ordinance)
- 2.02.142 **FLOOD PLAIN** (see Section 5.18.25 of this Ordinance)
- 2.02.143 **FLOODWAY** (see Section 5.18.25 of this Ordinance)
- 2.02.144 **FLOOR AREA** whenever the term "floor area" is used in this Regulation as a basis for requiring off-street parking for any structure, it shall be assumed that, unless otherwise stated, said floor area applies not only to the ground floor area but also to any additional stories of said structure. All horizontal dimensions shall be taken from the exterior faces of walls.
- 2.02.145 **FOOD SALES** shall mean establishments or places of business primarily engaged in the retail sale of food or household products for home consumption. Typical uses include groceries, delicatessens, meat markets, retail bakeries, and candy shops.
- 2.02.145.1 **FOOD SALES (LIMITED)** shall mean food sales establishments occupying 10,000 square feet or less of space.
- 2.02.145.2 **FOOD SALES (GENERAL)** shall mean food sales establishments occupying more than 10,000 square feet of space. Typically a supermarket.
- 2.02.146 **FRONTAGE** shall mean that portion of a parcel of property which abuts a dedicated public street or highway.
- 2.02.147 **GARAGE** shall mean a detached accessory building or an attached portion of a dwelling for the housing of vehicles, including carports. (Ordinance No. 1083, 2-17-09)
- 2.02.148 **GRADE** shall mean the average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of a sidewalk, the ground level shall be measured at the sidewalk.

- 2.02.149 **GREENHOUSE** shall mean a building or premises used for growing plants, preparation of floral arrangements for off-site delivery to customers, cold storage of flowers or dry storage of materials used for agricultural or horticultural purposes.
- 2.02.150 **GROUND COVER** shall mean plant material used in landscaping which remains less than twelve (12) inches in height at maturity. (Also, see Landscaping)
- 2.02.151 **GROUP CARE HOME** shall mean a home which is operated under the auspices of an organization which is responsible for providing social services, administration, direction, and control for the home which is designed to provide twenty-four (24) hour care for individuals in a residential setting. *This term does not include any society, club, fraternity, sorority, association, lodge, organization, or group of students or other individuals where the common living arrangement is temporary or seasonal. Also, the term does not include any group of individuals who are in a group living arrangement as a result of criminal offenses. (Ordinance No. 1083, 2-17-09)*
- 2.02.152 **GUNSMITH** shall mean a shop that designs, makes or repairs small firearms. (Ordinance No. 1083, 2-17-09)
- 2.02.153 **GUEST ROOM** shall mean a room which is designed to be occupied by one (1) or more guest for sleeping purposes, having no kitchen facilities, not including dormitories.
- 2.02.154 **HARD SURFACED** shall mean any surface used for movement of vehicular and / or pedestrians which is properly designed with permeable pavement, bricks, interlocking concrete pavers, asphalt or concrete. (Ordinance No. 1083, 2-17-09)
- 2.02.155 **HARMONY** shall mean a quality that represents an appropriate and congruent arrangement of parts, as in an arrangement of varied architectural and landscape elements.
- 2.02.156 **HAZARDOUS WASTE / MATERIALS** shall mean waste products of industrial or chemical process including finished surplus, used, contaminated or unwanted fertilizer, herbicide, petroleum products, or other such processed waste material. (Ordinance No. 1083, 2-17-09)
- 2.02.157 **HEALTH CLUB** shall mean privately owned for profit facilities such as gymnasiums, athletic clubs, recreational clubs, reducing salons, and weight control establishments. (Ordinance No. 1083, 2-17-09)
- 2.02.158 **HEDGE** shall mean a plant or series of plants, shrubs or other landscape material, so arranged as to form a physical barrier or enclosure.
- 2.02.159 **HOME OCCUPATION** shall mean an "in-home" or "home-based" business, industry, or service (not including uses defined as Adult Entertainment Establishment) operating from within a residential dwelling, or within an accessory structure in a residential zoning district. Home occupations shall be secondary and incidental in nature to the primary residential structure and/or property. Home Occupations shall satisfy the standards set forth in Section 7.10 of the City's Zoning Ordinance.
- 2.02      2.02.157.01 **Home Occupation I (Major):** shall mean Home Occupations that include on-site sales or services and/or one part-time or full-time employee that does not reside on the premises.
- 2.03      2.02.157.02 **Home Occupation II (Minor):** shall mean a Home Occupation that is not a Home Occupation I, including the following (a) a Home Occupation in which the sole activity is maintenance and use of an office in the home for telecommuting and/or deriving other income or sales; and (b) home-based craftmaking or cooking, which does not involve on-site sales. (Ordinance No. 879, 11-19-02)
- 2.04      2.02.157.03 Occupations defined as Home Occupation II are exempt from a conditional use permit and Home Occupation License. All Home Occupation I uses are required to have a Home Occupation License. (Ordinance No. 879, 11-19-02)

- 2.02.160 **HOME OCCUPATION LICENSE** shall mean a license provided to the owner/operator of a home occupation. Such license shall include (but not limited to) the following:
- 2.05 2.02.158.01 Application fee in accordance with Master Fee Schedule. **(Ordinance No. 879, 11-19-02)**
- 2.06 2.02.158.02 For major Home Occupations requiring a Conditional Use Permit, a minimum of seventy-five percent (75%) of the households within two hundred feet (200') of the proposed home occupation shall indicate no objections, in writing, to the operation of such home occupation. A "no objections" signature form shall be provided by the City and said residents shall sign next to their respective address. **(Ordinance No. 879, 11-19-02)**
- 2.07 2.02.158.03A Conditional Use Permit is required for Home Occupation I uses, except Child Care Homes. **(Ordinance No. 879, 11-19-02)**
- 2.02.161 **HOME OCCUPATION PERMIT** (see Home Occupation License) **(Ordinance No. 879, 11-19-02)**
- 2.02.162 **HOME OCCUPATION TAX** (see Home Occupation License) **(Ordinance No. 879, 11-19-02)**
- 2.02.163 **HOSPITAL, ANIMAL** shall mean a place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. Use as a kennel shall be limited to short-time boarding and shall be only incidental to such hospital use. **(Ordinance No. 871, 10-15-02)**
- 2.02.164 **HOTEL** shall mean a building or portion thereof, or a group of buildings, offering transient lodging accommodations on a daily rate to the general public and providing services associated with restaurants, meeting rooms, and recreational facilities. **(Ordinance No. 1083, 2-17-09)**
- 2.02.165 **HOUSE TRAILER** (see Dwelling, Mobile Home)
- 2.02.166 **HOUSEHOLD PET** shall mean an animal that is customarily kept for personal use or enjoyment within the home. Household pet shall include but not be limited to domestic dogs, domestic cats, domestic tropical birds, fish, and rodents.
- 2.02.167 **INCIDENTAL** shall mean a use, which is subordinate to the main use of a premise.
- 2.02.168 **INDOOR RECREATIONAL FACILITY** shall refer to use of a facility for purposes of recreation. The use shall be completely enclosed within a building with the exception of retractable roofs. Examples include, but are not limited to sports courts, gymnastics, kart racing, batting cages, practice fields, and miniature golf. **(Ordinance No. 1083, 2-17-09)**
- 2.02.169 **INDUSTRIAL CONDOMINIUM** shall mean a structure or structures proposed for construction comprising a project in which an undivided interest in the land is coupled with the right to the exclusive occupancy of a designated industrial or manufacturing space and/or spaces and accompanying facilities. **(Ordinance No. \_\_\_\_\_, 4-21-15)**
- 2.02.170 **INDUSTRY** shall mean the manufacture, fabrication, processing reduction or destruction of any article, substance or commodity, or any other treatment thereof in such a manner as to change the form, character, or appearance thereof and including storage elevators, truck storage yards, warehouses, wholesale storage and other similar types of enterprise.
- 2.02.171 **INOPERABLE MOTOR VEHICLE** shall mean any motor vehicle which: (1) Does not have a current state license plate; or, (2) Which may or may not have a current state license plate, but is disassembled or wrecked in part or in whole, or is unable to move under its own power, or is not equipped as required by Nebraska State Law for operation upon streets or highways. A vehicle which is wholly or partially dismantled shall not be considered inoperable when said vehicle is inside a completely enclosed building.
- 2.02.172 **INTENSITY** shall mean the degree to which land is used referring to the levels of concentration or activity in uses ranging from uses of low intensity being agricultural and residential to uses of highest intensity being heavy industrial uses. High intensity uses are normally uses that generate concentrations of vehicular traffic and daytime population and are less compatible with lower intensive uses.
- 2.02.173 **INTENT AND PURPOSE** shall mean that the Commission and Council by the adoption of this Ordinance have made a finding that the health, safety, and welfare of the community will be served by the creation of the zoning districts and by the regulations prescribed therein.

2.02.174 **JUICE BAR** (See Adult Establishment)

2.02.175 **JUNK** shall be any worn-out, cast-off, old, or discarded articles of scrap, copper, brass, iron, steel, rope, rags, batteries, paper, trash, rubber, debris, waste, dismantled or wrecked automobiles, or parts thereof, and other old or scrap ferrous or nonferrous material.

2.02.176 **KENNEL** shall mean an establishment where three (3) or more dogs, cats, or other household pets, or non-farm/non-domestic or any combination of five (5) or more thereof, at least four (4) months of age are boarded as a business. (*Ordinance No. 1083, 2-17-09*)

2.02.177 **LABORATORY** shall mean a facility used for testing and analyzing medical and dental samples from off-site locations. Testing laboratories shall refer to soil and geotechnical research and analysis. Laboratories do not include human or animal research / testing facilities. (*Ordinance No. 1083, 2-17-09*)

2.02.178 **LANDSCAPE** shall mean plant materials, topography, and other natural physical elements combined in relation to one another and to man-made structures.

2.02.179 **LANDSCAPING** shall include the original planting of suitable vegetation in conformity with the requirements of this Regulation and the continued maintenance thereof.

2.02.180 **LAUNDRY SERVICE** shall mean an establishment that provides home-type washing, drying, and/or ironing facilities for customers on the premises. (*Ordinance No. 1083, 2-17-09*)

2.02.181 **LOADING AREA** shall mean an off-street space or berth on the same lot with a main building, or contiguous to a group of buildings, for the temporary parking of commercial vehicles while loading or unloading, and which abuts a street, alley, or other appropriate means of ingress and egress. (*Ordinance No. 1083, 2-17-09*)

2.02.182 **LOGIC OF DESIGN** shall mean accepted principles and criteria of validity in the solution of the problem of design.

2.02.183 **LOT** shall mean a parcel or tract of land which is or may be occupied by a use herein permitted, together with yards, and other open spaces herein required, that has frontage upon a street, and is a part of a recorded subdivision plat or has been recorded prior to the adoption of the Regulation, or a parcel of real property delineated on an approved record of survey, lot-split or sub-parceling map as filed in the office of the County Register of Deeds and abutting at least one (1) public street or right-of-way, two (2) easements with dedicated public access, or one (1) private road. (*Ordinance No. 1083, 2-17-09*)

2.02.184 **LOT AREA** shall mean the total area, on a horizontal plane, within the lot lines of a lot.

2.02.185 **LOT, CORNER** shall mean a lot located at the intersection of two (2) or more streets at an angle of not more than one hundred thirty-five (135) degrees. If the angle is greater than one hundred thirty-five (135) degrees, the lot shall be considered an "Interior Lot". The setbacks for a front yard shall be met on all abutting streets.

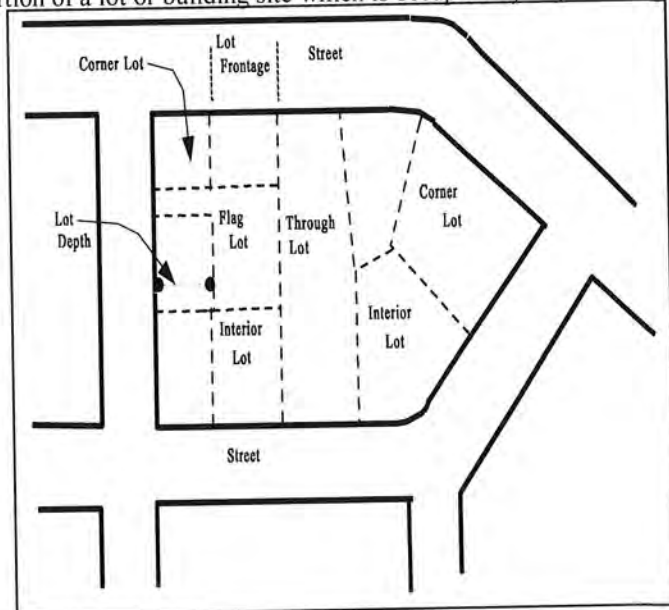


2.02.186 **LOT COVERAGE** shall mean the portion of a lot or building site which is occupied by any building or structure, excepting paved areas, walks and swimming pools, regardless of whether said building or structure is intended for human occupancy or not.

2.02.187 **LOT DEPTH** shall mean the horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.

2.02.188 **LOT, DOUBLE FRONTAGE** shall mean a lot having a frontage on two non-intersecting streets as distinguished from a corner lot.

2.02.189 **LOT, FRONTAGE** shall mean the side of a lot abutting on a legally accessible street right-of-way other than an alley or an improved county road. For the purposes of this definition, on corner lots, all sides of a lot adjacent to streets or roads shall be considered frontage.



2.02.190 **LOT, INTERIOR** shall mean a lot other than a corner lot.

2.02.191 **LOT LINE** shall mean the property line bounding a lot.

2.02.192 **LOT LINE, FRONT** shall mean the property line abutting a street.

2.02.193 **LOT LINE, REAR** shall mean a lot line not abutting a street which is opposite and most distant from the front lot line.

2.02.194 **LOT LINE, SIDE** shall mean any lot line *that is* not a front lot line or rear lot line. (*Ordinance No. 1083, 2-17-09*)

2.02.195 **LOT, THROUGH** shall mean a lot having frontage on two (2) dedicated streets, not including a corner lot.

2.02.196 **LOT OF RECORD** shall mean a lot held in separate ownership as shown on the records of the County Register of Deeds at the time of the passage of a regulation or regulations establishing the zoning district in which the lot is located.

2.02.197 **LOT WIDTH** shall mean the average horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

2.02.198 **MAIL ORDER SERVICES** shall mean an establishment primarily engaged in the retail sale of products by television, telemarketing, internet, catalog, and mail order. Such a use may include warehousing, shipping, and receiving of merchandise intended for retail sale. (*Ordinance No. 1083, 2-17-09*)

2.02.199 **MANUFACTURED HOME** A factory-built structure which is to be used as a place for human habitation, which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site, which does not have permanently attached to its body or frame any wheels or axles, and which bears a label certifying that it was built in compliance with standards promulgated by the United States Department of Housing and Urban Development. (*Ordinance No. 1083, 2-17-09*)

- 2.02.200 **MANUFACTURED HOME PARK** shall mean a parcel of land under single ownership that has been planned and improved for the placement of manufactured housing used or to be used for dwelling purposes and where manufactured home spaces are not offered for sale or sold. The term "manufactured home park" does not include sales lots on which new or used manufactured homes are parked for the purposes of storage, inspection, or sale.
- 2.02.201 **MANUFACTURED HOME SUBDIVISION** shall mean any area, piece, parcel, tract or plot of ground subdivided and used or intended to be used for the purpose of selling lots for occupancy by manufactured homes.
- 2.02.202 **MANUFACTURING** shall mean uses primarily engaged in the mechanical or chemical transformation of materials or substances into new products. These uses are usually described as plants, factories, or mills and characteristically use power driven machines and materials handling equipment. Uses engaged in assembling component parts of manufactured products are also considered manufacturing if the new product is neither a structure nor other fixed improvement. Also included is the blending of material such as lubricating oils, plastics, resins, or liquors. Manufacturing production is usually carried on for the wholesale market, for interplant transfer, or to order for industrial users, rather than for direct sale to the domestic consumer.
- 2.02.203 **MANUFACTURING, LIGHT** shall mean an establishment engaged in the indoor manufacturing, assembly, fabrication, packaging or other industrial processing of finished parts or products, primarily from previously prepared materials, or the indoor provision of industrial services, where there are few external effects across property lines. This term includes but is not limited to a business engaged in the processing, fabrication, assembly, treatment, or packaging of food, textile, leather, wood, paper, chemical, plastic, or metal products, but does not include basic industrial processing from raw materials. (Ordinance No. 1053, 1-15-08)
- 2.02.204 **MAP, OFFICIAL ZONING DISTRICT** shall mean a map delineating the boundaries of zoning districts which, along with the zoning text, is officially adopted by the La Vista City Council.
- 2.02.205 **MASTER FEE SCHEDULE** shall mean a fee schedule maintained by the City of La Vista and passed, and amended periodically, which establishes the required fees to be collected for specific Planning, Zoning, Subdivision, and Building Inspection activities.
- 2.02.206 **MECHANICAL EQUIPMENT** shall mean equipment, devices, and accessories, the use of which relates to water supply, drainage, heating, ventilating, air conditioning, and similar purposes.
- 2.02.207 **MEDICAL / DENTAL OFFICES / CLINICS** shall mean a building or portion of a building containing offices and facilities for providing medical, dental, and psychiatric services for outpatients only. (Ordinance No. 1083, 2-17-09)
- 2.02.208 **MEETING HALL** shall mean a building designed for public assembly. (Ordinance No. 1083, 2-17-09)
- 2.02.209 **MICROBREWERY** (see Brew Pub) (Ordinance No. 1083, 2-17-09)
- 2.02.210 **MINI-STORAGE OR MINI-WAREHOUSE** (See Self-Service Storage Facility)
- 2.02.211 **MISCELLANEOUS REPAIR SERVICES** shall include electrical repair shops; watch, clock and jewelry repair shops; and re-upholstery and furniture repair. (See also Standard Industrial Classification (SIC) Major Group 76, published by the U.S. Department of Labor) (Ordinance No. 1053, 1-15-08)
- 2.02.212 **MISCELLANEOUS STRUCTURES** shall mean structures, other than buildings, visible from public ways. Examples are: memorials, antennas, water tanks and towers, sheds, shelters, fences, and walls, kennels, transformers, drive-up facilities. (Ordinance No. 1083, 2-17-09)

- 2.02.213 **MIXED USE** shall mean properties where various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site in an integrated development project with significant functional interrelationships and a coherent physical design.
- 2.02.214 **MOBILE HOME** (See Dwelling, Mobile Home)
- 2.02.215 **MOBILE HOME PARK** (See Manufactured Home Park)
- 2.02.216 **MOBILE HOME SUBDIVISION** (See Manufactured Home Subdivision)
- 2.02.217 **MORTUARY** shall mean an establishment in which the deceased are prepared for burial or cremation. The facility may include funeral services and spaces for informal gatherings or display of funeral equipment. This classification excludes cemeteries. (Ordinance No. 1083, 2-17-09)
- 2.02.218 **MOTEL** (See Hotel)
- 2.02.219 **MOTOR VEHICLE** shall mean every self-propelled vehicle, not operated upon rails, except mopeds and self-propelled invalid chairs. (Ordinance No. 891, 2-04-03)
- 2.02.220 **NEWSSTAND** shall mean a temporary structure manned by a vendor, whom sells newspapers, magazines and other periodicals. (Ordinance No. 1083, 2-17-09)
- 2.02.221 **NON-CONFORMING STRUCTURE** shall mean a building or portion thereof which was lawful when established but which does not conform to subsequently established zoning or zoning regulations. (Ordinance No. 1083, 2-17-09)
- 2.02.222 **NON-CONFORMING USE** shall mean a use lawful when established but which does not conform to subsequently established zoning or zoning regulations.
- 2.02.223 **NUISANCE** shall mean anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses such as noise, dust, odor, smoke, gas, pollution, congestion, lighting, and litter.
- 2.02.224 **NURSERY** shall mean the use of a premises for the propagation, cultivation, and growth of trees, shrubs, plants, vines, and the like from seed or stock, and the sale thereof, and including the sale of trees, shrubs, plants, vines, and the like purchased elsewhere and transplanted into the soil of the premises. In connection with the sale of plants, such fungicides, insecticides, chemicals, peat moss, humus, mulches, and fertilizers as are intended to be used in preserving the life and health of the plants may be sold.
- 2.02.225 **NURSING CARE AND REHABILITATION FACILITIES** shall mean a type of care facility for persons with chronic illness or disability, particularly older people who have mobility and eating problems. These facilities are licensed by the State of Nebraska and offer 24-hour room and board and health care services, including basic and skilled nursing care, rehabilitation, hospice, and a full range of other therapies, treatments, and programs.
- 2.02.226 **OFFICE** shall mean a building or a portion of a building wherein services are performed involving, primarily, administrative, professional, or clerical operations.
- 2.02.227 **OFFICE PARK** shall mean a development which contains two or more separate office buildings, accessory and supporting uses, and open space all designed, planned, constructed, and maintained on a coordinated basis. (Ordinance No. 1083, 2-17-09)
- 2.02.228 **OPEN SPACE** shall mean a parcel or parcels of land, together with the improvements thereon, primarily set aside for recreational use and enjoyment, exclusive of land areas used for streets, alleys, roads, driveways, parking areas, structures, and buildings.

- 2.02.229 **OPEN SPACE, COMMON** shall mean a separate and distinct area set aside as open space within or related to a development, and not on individually owned lots or dedicated for public use, but which is designed and intended for the common use or enjoyment of the residents of the development. Rights-of-way, private streets, driveways, parking lots or other surfaces designed or intended for vehicular use or required yards shall not be included as common open space.
- 2.02.230 **OUTLOT** shall mean a lot remnant or parcel of land left over after platting, which is intended as open space or other use, for which no building permit shall be issued on any private structures.
- 2.02.231 **OUTDOOR STORAGE** shall mean the storage of any material for a period greater than 72 hours not in an enclosed building, including items for sale, lease, processing, and repair (including motor vehicles). (Ordinance No. 1083, 2-17-09)
- 2.02.232 **OVERLAY DISTRICT** shall mean a district in which additional requirements act in conjunction with the underlying zoning district. The underlying zoning district designation does not change. (Ordinance No. 1083, 2-17-09)
- 2.02.233 **OWNER** shall mean one (1) or more persons, including corporations, who have title to the property, building or structure in question.
- 2.02.234 **PARCEL** shall mean a lot or a contiguous group of lots in single ownership or under single control, which may be considered as a unit for purposes of development.
- 2.02.235 **PARK** shall mean any public or private land available for recreational, educational, cultural, or aesthetic use.
- 2.02.236 **PARKING AREA or VEHICULAR USE AREA** shall refer to all off street areas and spaces designed, used, required, or intended to be used for parking, including driveways or access ways in and to such areas. (Ordinance No. 1083, 2-17-09)
- 2.02.237 **PARKING SPACE** shall mean an area, other than a street or alley, reserved for the parking of an automobile, such space having a dimension not less than nine (9) feet wide by eighteen (18) feet long, plus such additional area as is necessary to afford adequate ingress and egress. (Ordinance No. 1083, 2-17-09)
- 2.02.238 **PERMANENT FOUNDATION** shall mean a base constructed from either poured concrete or laid masonry rock or brick and placed on a footing located below ground level to a point below the frost line upon which a building or structure is permanently attached.
- 2.02.239 **PERMANENTLY ATTACHED** shall mean connected to real estate in such a way as to require dismantling, cutting away, or unbolting in order to remove, relocate, or replace.
- 2.02.240 **PERMITTED USE** shall mean any land use allowed without condition within a zoning district.
- 2.02.241 **PERSON** shall mean an individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, City, County, special district or any other group or combination acting as an entity, except that it shall not include La Vista, Nebraska.
- 2.02.242 **PET HEALTH SERVICE** (see Hospital, Animal) (Ordinance No. 871, 10-15-02)
- 2.02.243 **PET SHOP** shall mean a retail establishment primarily involved in the sale of domestic animals, such as dogs, cats, fish, birds, and reptiles, excluding exotic animals and farm animals such as horses, cattle, goats, sheep and poultry.
- 2.02.244 **PINBALL or VIDEO GAMES BUSINESS** (See Amusement Arcade) (Ordinance No. 1083, 2-17-09)

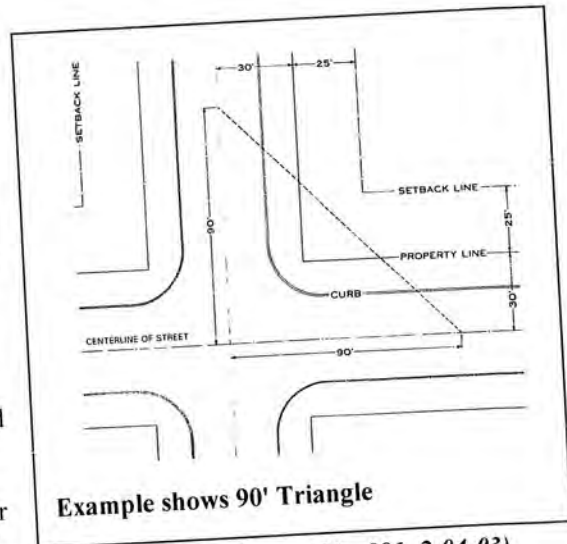
- 2.02.245 **PLANNED UNIT DEVELOPMENT** shall mean a development designed to provide for an unusual or different arrangement of residential, business, or industrial uses in accordance with an approved development plan. (*Ordinance No. 891, 2-04-03*)
- 2.02.246 **PLANNING COMMISSION** shall mean the Planning Commission of La Vista, Nebraska.
- 2.02.247 **PLANT MATERIALS** shall mean trees, shrubs, vines, ground covers, grass, perennials, annuals, and bulbs.
- 2.02.248 **PLAT** shall mean a map showing the location, boundaries, and legal description of individual properties.
- 2.02.249 **POSTAL STATION** shall mean a commercial business which conducts the retail sale of stationery products, provides packaging and mail services (both U.S. Postal and private service), and provides mailboxes for lease. (*Ordinance No. 1083, 2-17-09*)
- 2.02.250 **PREMISES** shall mean a tract of land, consisting of one lot or irregular tract, or more than one lot or irregular tract, provided such lots or tracts are under common ownership, contiguous, and used as a single tract (*See also, Parcel*) (*Ordinance No. 1083, 2-17-09*)
- 2.02.251 **PRESCHOOL** shall mean a school or center for children under school age, whether licensed as a day care center or not, shall be approved by the Nebraska State Fire Marshall as being in safety conformance with the National Fire Protection Association, Pamphlet 101, known as the Life Safety Code and shall be approved by the Nebraska Department of Health and Welfare as meeting their health and welfare standards. (*Ordinance No. 1083, 2-17-09*)
- 2.02.252 **PRINCIPAL BUILDING** shall mean a building within which the main or primary use of the lot or premises is located. (*See also Use, Principal*) (*Ordinance No. 1083, 2-17-09*)
- 2.02.253 **PUBLIC FACILITIES** shall mean any building held, used, or controlled exclusively for public purposes by any department or branch of federal, state, county, or city government. A building belonging to or used by the public for the transaction of public or quasi-public business. Public services may be rendered from such facilities. (*Ordinance No. 1083, 2-17-09*)
- 2.02.254 **PUBLIC SERVICES** shall mean services provided by a public agency within a government facility for purposes of public safety and emergency services, including a facility that provides police or fire protection and related administrative facilities. (*Ordinance No. 1083, 2-17-09*)
- 2.02.255 **RECREATIONAL ESTABLISHMENT** (*see Recreational Facility*) (*Ordinance No. 891, 2-04-03*)
- 2.02.256 **RECREATIONAL FACILITY** shall mean public or private facilities for the use of passive and active recreation including tennis, handball, racquetball, basketball, track and field, jogging, baseball, soccer, skating, swimming, or golf. This shall include country clubs and athletic clubs, but not facilities accessory to a private residence used only by the owner and guests, nor arenas or stadiums used primarily for spectators to watch athletic events. In addition, recreational facilities shall mean museums, amphitheaters, race tracks (including all motor powered vehicles) and wildlife conservation areas (used for public viewing), and theme parks. (*Ordinance No. 891, 2-04-03*)
- 2.02.257 **RECREATIONAL VEHICLE (RV)** shall mean a vehicular unit less than forty (40) feet in overall length, eight (8) feet in width, or twelve (12) feet in overall height, primarily designed as a temporary living quarters for recreational camping or travel use having either its own power or designed to be mounted on or drawn by a motor vehicle. Recreational vehicle includes motor home, truck camper, travel trailer, camping trailer, and fifth wheel.
- 2.02.258 **RESIDENCE** shall mean a building used, designed, or intended to be used as a home or dwelling place for one (1) or more families.

- 2.02.259 **RESERVATION CENTER** shall mean a travel agency; or other such agency involved in selling and arranging transportation, tours, trips, and accommodations for tourists. (Ordinance No. 1083, 2-17-09)
- 2.02.260 **RESTAURANT** shall mean a public eating establishment at which the primary function is the preparation and serving of food primarily to persons seated within the building.
- 2.02.261 **RESTAURANT, FAST FOOD** shall mean an establishment whose principal business is the sale of food and/or beverages in ready-to-consume individual servings, for consumption either within the establishment, for carryout, *drive-thru*, or drive-in; and where food and/or beverages are usually served in paper, plastic, or other disposable containers. (Ordinance No. 1083, 2-17-09)
- 2.02.262 **RETAIL TRADE** shall mean uses primarily engaged in selling merchandise for personal or household consumption and rendering services incidental to the sale of goods. Uses engaged in retail trade sell merchandise to the general public or to households for personal consumption.
- 2.02.263 **REZONING** shall mean an amendment to or change to the *Official Zoning District Map*. (Ordinance No. 1083, 2-17-09)
- 2.02.264 **RIGHT-OF-WAY** shall mean an area or strip of land, either public or private, on which an irrevocable right of passage has been dedicated, recorded, or otherwise legally established for the use of vehicles or pedestrians or both.
- 2.02.265 **ROAD, PRIVATE** shall mean a way, other than driveways, open to vehicular ingress and egress established for the benefit of certain, adjacent properties.
- 2.02.266 **ROAD, PUBLIC** shall mean all public right-of-way reserved or dedicated for *utilities and vehicular and pedestrian* traffic. (Ordinance No. 1083, 2-17-09)
- 2.02.267 **SATELLITE DISH ANTENNA** shall mean a round, parabolic antenna incorporating a reflective surface that is solid, open mesh, or bar configured and is in the shape of a shallow dish, or cone and used to transmit and/or receive radio or electromagnetic waves.
- 2.02.268 **SCREENING** shall mean a structure or planting that conceals from view from public ways the area behind such structure or planting.
- 2.02.269 **SELF-SERVICE STORAGE FACILITY** shall mean a building or group of buildings containing individual, compartmentalized, and controlled access stalls or lockers for storage.
- 2.02.270 **SERVICE STATIONS** shall mean buildings and premises where the primary use is the supply and dispensing at retail of motor fuels, lubricants, batteries, tires, and motor vehicle accessories and where light maintenance activities such as engine tune-ups, lubrications, and washing may be conducted, but not including heavy maintenance and repair such as engine overhauls, painting, and body repair.
- 2.02.271 **SETBACK, FRONT YARD** shall mean the line which defines the depth of the required front yard. Said setback line shall be parallel with the right-of-way line or other access way. (Ordinance No. 1083, 2-17-09)
- 2.02.272 **SETBACK, REAR YARD OR SIDE YARD** shall mean the line which defines the width or depth of the required rear or side yard. Said setback line shall be parallel with the property line, *offset* by the perpendicular distance prescribed for the yard in the district. (Ordinance No. 1083, 2-17-09)
- 2.02.273 **SHOPPING CENTER** shall mean a group of commercial establishments planned, constructed, and managed as a total entity with customer and employee parking provided on-site, provisions for goods delivery that is separated from customer access, aesthetic considerations, and protection from the elements.

2.02.274 **SHOPPING CENTER, COMMERCIAL STRIP** shall mean a commercial development, usually one store deep, that fronts on a major street for a distance of one city block or more. Includes individual buildings on their own lots, with or without on-site parking and small linear shopping centers with shallow on-site parking in front of the stores.

2.02.275 **SHOPPING CENTER, OUTLET** shall mean a commercial development that consists mostly of manufacturers' outlet stores selling their own brands at a discounted price. This definition includes all forms of centers, such as strip style, enclosed mall style, and village clustered style centers.

2.02.276 **SIGHT TRIANGLE** is an area at a street intersection in which nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two-and-a-half (2 ½) feet and ten (10) feet above the grades of the bottom of the curb of the intersecting streets, measured from the point of intersection of the centerline of the streets, sixty (60) feet in each direction along the centerline of the streets. At the intersection of major or other arterial streets, the sixty (60) foot distance shall be increased to ninety (90) feet for each arterial leg of the intersection. (Ordinance No. 891, 2-04-03)



Example shows 90' Triangle

2.07.277 **SIGN** shall mean and include any outdoor display, declaration, device, figure, drawing, illustration, message, placard, poster, billboard, insignia, or other things which are designed, intended, or used for direction, information, identification, or to advertise, to inform, or to promote any business, product activity, service, or any interest, except the following:  
Signs less than fifty (50) square feet in area and less than twenty-five (25) feet in height of a public or quasi-public nature or other official notices that are authorized by the State of Nebraska, City of La Vista, or a Federal Government Agency, directional, informational, or other official signs or notices authorized by law.

2.07.278 **SIGN, ANIMATED** shall mean any sign that uses movement or change of lighting to depict action or create a special effect or scene.

2.07.279 **SIGN AREA** shall refer to that portion of a sign on which copy can be placed but not including the minimal supporting framework or bracing. The area of individually painted letter signs, individual letter signs or directly or indirectly illuminated individual letter signs, shall be calculated on the basis of the smallest geometric figure that will enclose the entire copy area of the sign. Any such calculation shall include the areas between the letters and lines, as well as the areas of any devices, illuminated or non-illuminated. (Ordinance No. 1083, 2-17-09)

2.07.280 **SIGN, AUDIBLE** shall mean any sign that conveys either a written message supported by an audible noise including music, spoken message, and / or sounds to attract attention to the sign. Audible signs also include signs conveying only the audible noise including music, spoken message, and / or sounds to attract attention.

2.07.281 **SIGN, BANNER** shall mean any sign of lightweight fabric or similar material that is permanently mounted to a pole or building by a permanent frame at one or more edges. National flags, state or municipal flags, or official flag of any institution or business shall not be considered banners. Banner signs shall not represent a commercial message.

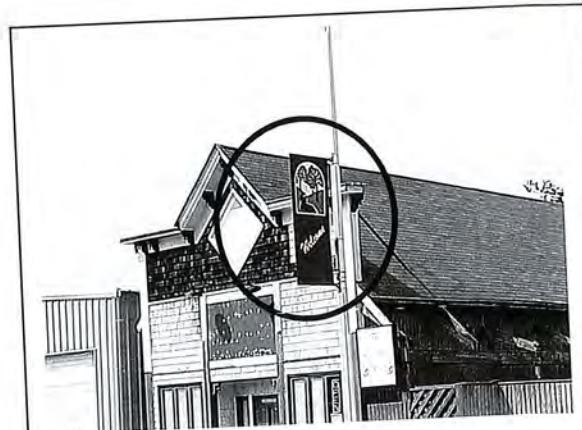
2.07.282 **SIGN, BILLBOARD** shall mean a sign that identifies or communicates a commercial or noncommercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located.

2.07.283 **SIGN, BUILDING MARKER** shall mean any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

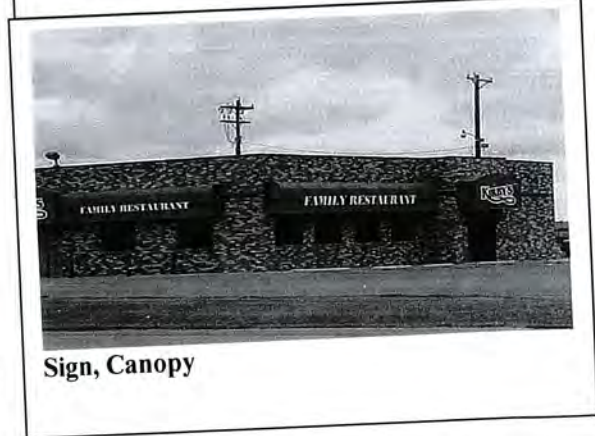
2.07.284 **SIGN, CANOPY** shall mean any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.  
*(Ordinance No. 1083, 2-17-09)*

2.07.285 **SIGN, CENTER IDENTIFICATION** shall mean any sign erected to provide direction to a development including multiple uses and / or structures within the development. Center Identification signs shall include the name of said development and may include the names of major tenants of the development. Center Identification Signs shall typically be similar to Ground (Monument) signs. *(Ordinance No. 1083, 2-17-09)*

2.07.286 **SIGN, CONSTRUCTION** shall mean a temporary sign identifying an architect, engineer, contractor, subcontractor, and/or building material supplier who participates in construction on the property on which the sign is located. *(Ordinance No. 871, 10-15-02); (Ordinance No. 1083, 2-17-09)*



**Sign, Banner**



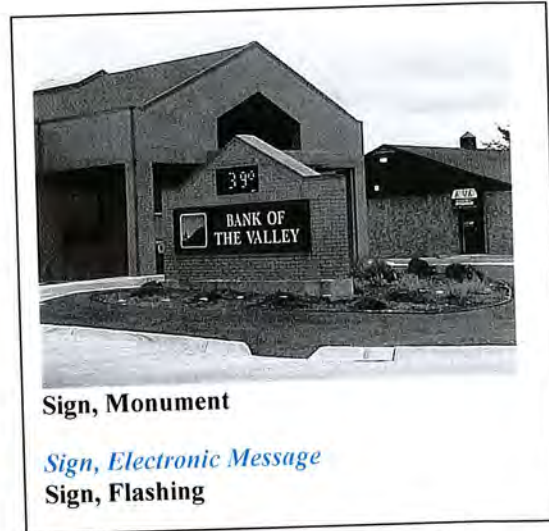
**Sign, Canopy**



2.07.287 **SIGN, ELECTRONIC MESSAGE BOARD** shall mean any sign capable of displaying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means. (Ordinance No. 1144, 5-17-11)

2.07.288 **SIGN, FLASHING** shall mean a sign, which, by method or manner of illumination, flashes on or off, winks, or blinks with varying light intensity, shows motion, or creates the illusion of being on or off.

2.07.289 **SIGN, FREESTANDING** shall mean any sign supported by uprights or braces placed on or in the ground, which is used principally for advertising or identification purposes and is not supported by any building.



2.07.290 **SIGN, IDENTIFICATION** shall mean a sign giving the nature, logo, trademark, or other identifying symbol; address; or any combination of the name, symbol, and address of a building, business, development, or establishment on the premises where it is located.

2.07.291 **SIGN, ILLUMINATED** shall mean a sign illuminated in any manner by an artificial light source.

2.07.292 **SIGN, INCIDENTAL** shall mean a sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking," "entrance," "loading only," "telephone," and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental. Incidental signs may be attached or painted on the wall, or they may be freestanding signs. (Ordinance No. 1083, 2-17-09)

2.07.293 **SIGN, MARQUEE** shall mean any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

2.07.294 **SIGN, MONUMENT** shall mean a sign mounted directly to the ground with a maximum height not to exceed ten (10) feet.

2.07.295 **SIGN, NAMEPLATE** shall mean a sign not exceeding two (2) square feet for each dwelling.

2.07.296 **SIGN, NONCONFORMING** shall mean any sign that does not conform to the requirements of this ordinance

2.07.297 **SIGN, OFF-PREMISES** shall mean a sign including the supporting sign structure which directs the attention of the general public to a business, service, or activity not usually conducted, or a product not offered or sold, upon the premises where such sign is located.

2.07.298 **SIGN, ON-PREMISE** shall mean a sign, display, or device-advertising activities conducted on the property on which such sign is located.

2.07.299 **SIGN, PENNANT** shall mean any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.



2.07.300 **SIGN, POLE** shall mean a sign that is mounted on a freestanding pole or other support so that the bottom edge of the sign face is six (6) feet or more above grade.

2.07.301 **SIGN, PORTABLE** shall mean a sign, usually of a temporary nature, not securely anchored to the ground or to a building or structure and which obtains some or all of its structural stability with respect to wind or other normally applied forces by means of its geometry or character. Examples are: menu and sandwich board signs, balloons used as signs, umbrellas used for advertising, and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations (deliveries and transportation of personnel) of the business. This definition also includes any and all sandwich boards supported by human beings or animals.

2.07.302 **SIGN, PROJECT DIRECTORY** shall mean a sign fronting on a road containing only the name of the principal use and directional arrow to the principal use. Project directory signs are intended to direct attention to planned multi-tenant developments which are not easily accessible off of such roads and where on-premise signage for that development (or any tenants within the development) would not otherwise be visible by the motorists traveling on nearby arterial or collector roads at the closest point of access. (Ordinance No. 1144, 5-17-11)

2.07.303 **SIGN, PROJECTING** shall mean a projecting sign attached to a building in such a manner that its leading edge extends more than eight (8) inches beyond the surface of such building or wall.



2.07.304 **SIGN, REAL ESTATE** shall mean a temporary sign that identifies property or properties that are for sale or lease.

2.07.305 **SIGN, ROOF** shall mean a sign identifying the name of a business, enterprise, or the product sold on the premises and erected on or over the roof of a building. (Ordinance No. 1083, 2-17-09)

2.07.306 **SIGN SETBACK** shall mean the horizontal distance from the property line to the nearest projection of the existing or proposed sign.

2.07.307 **SIGN, SUBDIVISION** shall mean a sign erected on a subdivision which identifies the platted subdivision where the sign is located.

2.07.308 **SIGN SURFACE** shall mean the entire area of a sign.

2.07.309 **SIGN, SUSPENDED** shall mean a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

2.07.310 **SIGN, TEMPORARY** shall mean a sign constructed of cloth, fabric, or other material with or without a structural frame intended for a limited period of display, including displays for holidays or public demonstrations. Temporary signs shall include portable signs as defined in this section.



2.07.311 **SIGN, VIDEO** shall mean any on-premises or off-premises sign that conveys either a commercial or non-commercial message, including a business or organization name, through means of a television or other video screen. This definition shall include electronic message board signs. (Ordinance No. 1083, 2-17-09)

2.07.312 **SIGN, WALL** shall mean any sign attached parallel to, but within eight inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

2.07.313 **SIGN, WINDOW** shall mean any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

2.07.314 **SIGN BASE** shall mean any decorative, functional element extending upward from grade to the start of the sign.

2.07.315 **SIMILAR USE** shall mean the use of land, buildings, or structures of like kind or general nature with other uses within a zoning district as related to bulk, intensity of use, traffic generation and congestion, function, public services requirements, aesthetics or other similarities.

2.07.316 **SITE PLAN** shall mean a plan, prepared to scale, showing accurately and with complete dimensioning, the boundaries of a site and the location of all buildings, structures, uses, drives, parking, drainage, landscape features, and other principal site development improvements for a specific parcel of land.

2.07.317 **SOCIAL CLUB OR FRATERNAL ORGANIZATIONS** shall mean an association of persons (whether or not incorporated), religious or otherwise, for a common purpose, but not including groups which are organized primarily to render a service carried on as a business for profit. (Ordinance No. 1083, 2-17-09)

2.07.318 **SOLID WASTE** shall mean waste materials consisting of garbage, trash, refuse, rubble, sewage, offal, dead animals, or paunch manure.

2.07.319 **SPECIAL or VOCATIONAL TRAINING FACILITIES** shall mean a specialized instructional establishment that provides on-site training of business, commercial, and/or trade skills such as accounting, data processing, and computer repair. This classification excludes establishments providing training in an activity that is not otherwise permitted in the zone. Incidental instructional services in conjunction with another primary use shall not be included in this definition. (Ordinance No. 1083, 2-17-09)

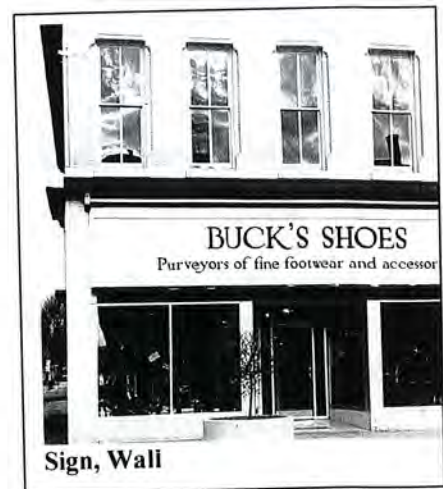
2.07.320 **SPECIFIED ANATOMICAL AREAS** shall mean anatomical areas consisting of:  
Less than completely and opaquely covered human genitals, pubic region, buttock, anus, or female breast(s) below a point immediately above the top of the areola; and,  
Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

2.07.321 **SPECIFIED SEXUAL ACTIVITIES** shall mean activities consisting of the following:

2.07.321.01 Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship, and any of the following sexually-oriented acts of conduct: Anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zoerasty; or

2.07.321.02 Clearly depicted human genitals in the state of sexual stimulation, arousal, or tumescence; or

2.07.321.03 Use of human or animal ejaculation, sodomy, oral copulation, coitus, or masturbation; or



- 2.07.321.04 Fondling or touching of nude human genitals, pubic region, buttocks, or female breast(s);  
or
- 2.07.321.05 Situation involving a person or persons, any of whom are nude, clad in undergarments or in sexually revealing costumes, and who are engaged in activities involving the flagellation, torture, fettering, binding, or other physical restraint or any such persons; or
- 2.07.321.06 Erotic or lewd touching, fondling, or other sexually-oriented contact with an animal by a human being; or
- 2.07.321.07 Human excretion, urination, menstruation, vaginal, or anal irrigation.
- 2.07.322 **STATE** shall mean the State of Nebraska.
- 2.07.323 **STORAGE** shall mean the keeping, in a roofed or unroofed area, of any goods, junk, material, merchandise, or vehicles on the same tract or premises for more than thirty (30) days.
- 2.07.324 **STORY** shall mean a space in a building between the surface of any floor and the surface of the floor above, or if there is not floor above, then the space between such floor and the ceiling or roof above.
- 2.07.325 **STREET** shall mean a public thoroughfare or right-of-way dedicated, deeded, or condemned for use as such, other than an alley, which affords the principal means of access to abutting property including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare except as excluded in this Regulation.
- 2.07.326 **STREET, ARTERIAL** shall mean a street designed with the primary function of efficient movement of through traffic between and around areas of a City, City, or county with controlled access to abutting property.
- 2.07.327 **STREET, COLLECTOR** shall mean a street or high way, which is intended to carry traffic from a minor street to major streets. Collector streets are usually the principal entrance streets to residential developments and the streets for circulation within the development.
- 2.07.328 **STREET FRONTAGE** shall mean the distance for which a lot line of a zone lot adjoins a public street, from one lot line intersecting said street to the furthest distant lot line intersecting the same street.
- 2.07.329 **STREET, LOCAL** shall mean a street designed for local traffic that provides direct access to abutting residential, commercial, or industrial properties.
- 2.07.330 **STREET, PRIVATE** shall mean an open, unoccupied space, other than a street or alley dedicated to the public, but permanently established as the principal means of vehicular access to abutting properties. *(Ordinance No. 1083, 2-17-09)*
- 2.07.331 **STREETSCAPE** shall mean the scene as may be observed along a street *right-of-way* composed of natural and man-made components, including buildings, paving, plantings, *poles, signs, benches, and other miscellaneous amenities.* *(Ordinance No. 1083, 2-17-09)*
- 2.07.332 **STRUCTURE** shall mean anything constructed or built, any edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, which requires location on the ground or is attached to something having a location on the ground, including swimming and wading pools and covered patios, excepting outdoor areas such as paved areas, walks, tennis courts, and similar recreation areas.
- 2.07.333 **STRUCTURE, TEMPORARY** shall mean a structure permitted as a temporary use. *(Ordinance No. 1083, 2-17-09)*
- 2.07.334 **STRUCTURAL ALTERATION** shall mean any change in the support members of a building, such as in a bearing wall, column, beam or girder, floor or ceiling joists, roof rafters, roof diaphragms, foundations, piles, or retaining walls or similar components.

- 2.07.335 **SUBDIVISION** shall mean the division of land, lot, tract, or parcel into two or more lots, parcels, plats, or sites, or other divisions of land for the purpose of sale, lease, offer, or development, whether immediate or future. (*Ordinance No. 1083, 2-17-09*)
- 2.07.336 **TANNING SPA or SALON** shall mean any business that uses artificial lighting or other systems to produce a tan on an individual's body. These facilities may be either a stand-alone business or as an accessory use in spas, gymnasiums, athletic clubs, health clubs, and styling salons. This use is not included with any type of adult establishment. (*Ordinance No. 1083, 2-17-09*)
- 2.07.337 **TAVERN AND COCKTAIL LOUNGE** shall mean any establishment whose principal business is serving alcoholic beverages at retail for consumption on the premises. (*Ordinance No. 1083, 2-17-09*)
- 2.07.338 **TELECOMMUNICATIONS FACILITY** shall mean any facility that transmits and/or receives signals by electromagnetic or optical means, including antennas, microwave dishes, horns, or similar types of equipment, towers or similar structures supporting such equipment, and equipment buildings. (*Ordinance No. 1083, 2-17-09*)
- 2.07.339 **TELEPHONE EXCHANGE** shall mean a building used exclusively for the transmission and exchange of telephone messages, but the term shall not include wireless communication towers. (*Ordinance No. 1083, 2-17-09*)
- 2.07.340 **TEMPORARY USE** shall mean a use intended for limited duration, not to exceed six (6) months, to be located in a zoning district not permitting such use. (*Ordinance No. 1083, 2-17-09*)
- 2.07.341 **THEATER** shall mean a building or structure used for dramatic, operatic, motion pictures, or other performance, for admission to which entrance money is received and no audience participation or meal service.
- 2.07.342 **TOWER** shall mean a structure situated on a site that is intended for transmitting or receiving television, radio, or telephone communications. (Also, see Antenna)
- 2.07.343 **TOWNHOUSE** shall mean a one-family dwelling unit, with a private entrance, which is part of a structure whose dwelling units are attached horizontally in a linear arrangement, and having a totally exposed front and rear wall to be used for access, light, and ventilation.
- 2.07.344 **TRANSPORTATION SERVICES** shall mean establishments providing services incidental to transportation, such as forwarding, packing, crating, or other means of preparing goods for shipping. (See also Standard Industrial Classification (SIC) Industry Group 473 and description 4783, published by the U.S. Department of Labor.) (*Ordinance No. 1053, 1-15-08*)
- 2.07.345 **USE, PRINCIPAL** shall mean the main use of land or structure, as distinguished from an accessory use. (Also, see Principal Building)
- 2.07.346 **UTILITARIAN STRUCTURE** shall mean a structure or enclosure relating to mechanical or electrical services to a building or development.
- 2.07.347 **UTILITY HARDWARE** shall mean devices such as poles, crossarms, transformers and vaults, gas pressure regulating assemblies, hydrants, and buffalo boxes that are used for water, gas, oil, sewer, and electrical services to a building or a project.
- 2.07.348 **UTILITY SERVICE** shall mean any device, including wire, pipe, and conduit, which carries gas, water, electricity, oil and communications into a building or development.

2.07.349 **VARIANCE** shall mean a relief granted by the Board of Adjustment from or variation of the provisions of this Ordinance, other than use regulations, as applied to a specific piece of property, as distinct from rezoning. (Ordinance No. 1083, 2-17-09)

2.07.350 **VETERINARY SERVICES** shall mean a building or part of a building used for the care, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention. Such clinics may or may not also provide long-term lodging for ill or unwanted animals, or lodging for healthy animals on a fee basis. Such clinics may or may not also provide general grooming practices for such animals. (Ordinance No. 871, 10-15-02)

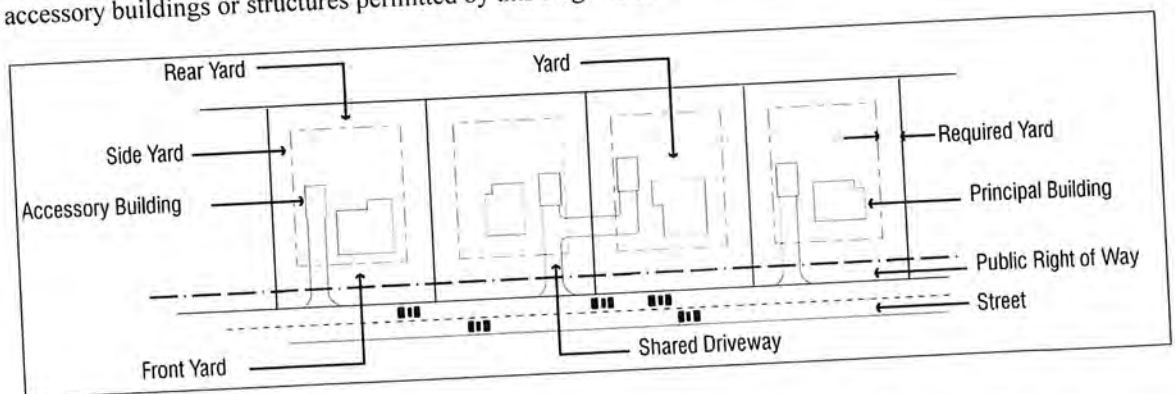
2.07.351 **WAREHOUSE** shall mean a building used primarily for the storage of goods and materials.

2.07.352 **WHOLESALE TRADE** shall mean a use primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, farm or professional business users; or to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. The principal types of establishments included are: Merchant wholesalers; sales branches and sales offices (but not retail stores) maintained by manufacturing enterprises apart from their plants for the purpose of marketing their products; agents, merchandise or commodity brokers, and commission merchants; petroleum bulk storage, assemblers, buyers, and associations engaged in cooperative marketing of farm products. The chief functions of uses in wholesale trade are selling goods to trading establishments, or to industrial, commercial, institutional, farm and professional; and bringing buyer and seller together. In addition to selling, functions frequently performed by wholesale establishments include maintaining inventories of goods; extending credit; physically assembling, sorting and grading goods in large lots, breaking bulk and redistribution in smaller lots; delivery; refrigeration; and various types of promotion such as advertising and label designing.

2.07.353 **WIND ENERGY SYSTEM or WIND ENERGY CONVERSION SYSTEM (WECS)** shall mean a wind-driven machine that converts wind energy into electrical power for the primary purpose of on-site use or resale for off-site use. (Ordinance No. 1083, 2-17-09)

2.07.354 **WIRELESS COMMUNICATIONS TOWER** shall mean a structure designed and constructed to support one or more antennas used by commercial wireless telecommunication facilities and including all appurtenant devices attached to it. A tower can be freestanding (solely self-supported by attachment to the ground) or supported (attached directly to the ground and with guy wires), of either lattice or monopole construction. (Ordinance No. 1083, 2-17-09)

2.07.355 **YARD** shall mean any open space on the same lot with a building or a dwelling group, which open space is unoccupied and unobstructed from the ground upward to the sky, except for building projections or for accessory buildings or structures permitted by this Regulation.

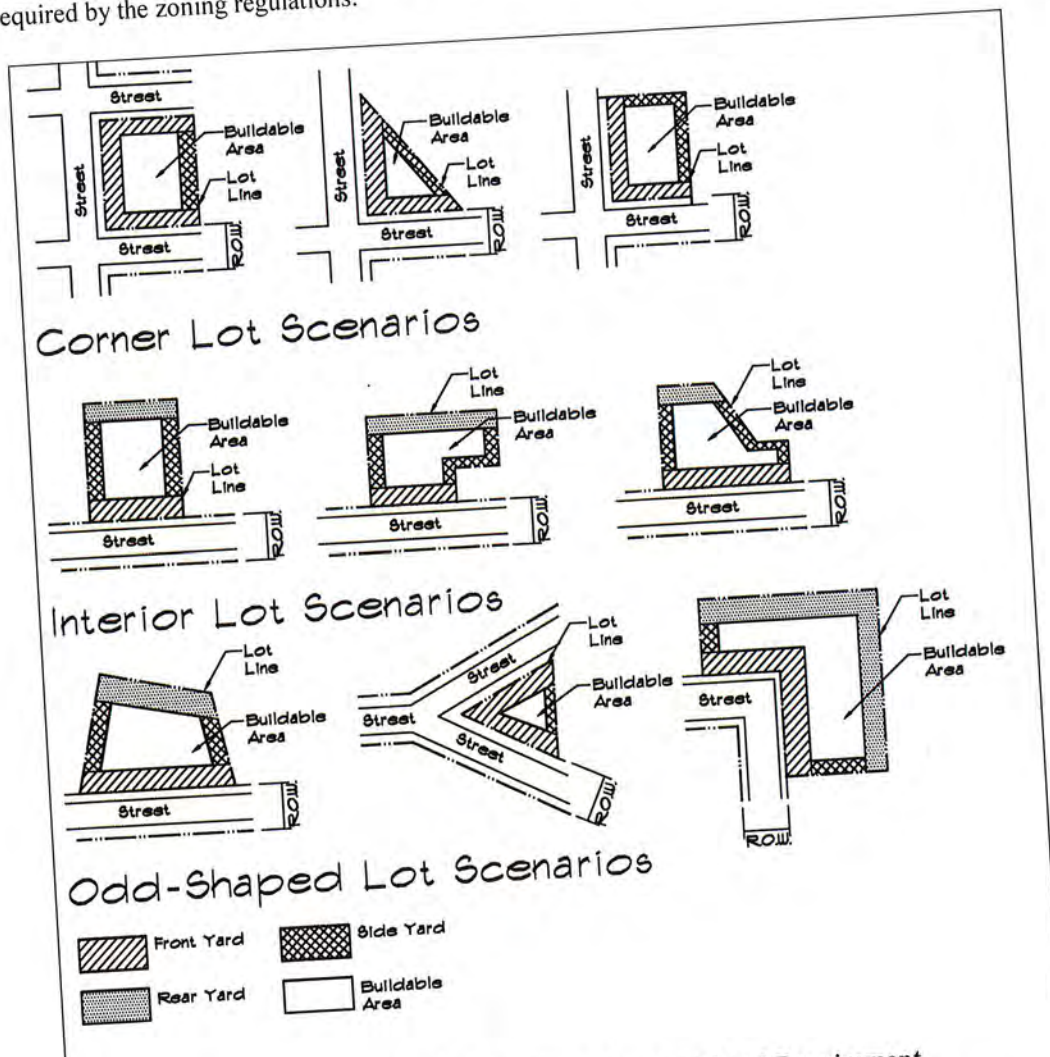


2.07.356 **YARD, FRONT** shall mean a space between the front yard setback line and the front lot line or right-of-way line, and extending the full width of the lot. (Ordinance No. 1083, 2-17-09)

2.07.357 **YARD, REAR** shall mean a space between the rear yard setback line and the rear lot line, extending the full width of the lot.

2.07.358 **YARD, SIDE** shall mean a space extending from the front yard or from the front lot line where no front yard is required by this Regulation, to the rear yard, or rear lot line, between a side lot line and the side yard setback line.

2.07.359 **ZONE LOT** shall mean a parcel of land in single ownership that is of sufficient size to meet minimum zoning requirements for area, coverage, and use, and that can provide such yards and other open spaces as required by the zoning regulations.



Example of possible Lot Configurations and Yard Requirement

SECTION 2. Repeal of Section 2.02 as Previously Enacted. Section 2.02 of Ordinance No. 848 as previously enacted is hereby repealed.

SECTION 3. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 4. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

SECTION 5. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED THIS 21<sup>ST</sup> DAY OF APRIL 2015.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

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ORDINANCE NO. \_\_\_\_

AN ORDINANCE TO AMEND SECTION 5.13 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.13 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. Amendment of Section 5.13. Section 5.13 of the Ordinance No. 848 is hereby amended to read as follows:

**Section 5.13 I-1 Light Industrial.**

**5.13.01 Intent:** *It is the intent of the Light Industrial District Regulations to provide for limited industrial uses and services, including some retail businesses, wholesaling, and storage activities; to preserve land for the expansion of basic economic activities; to avoid incompatible land uses, to serve these areas with adequate transportation facilities, and to prevent or mitigate hazards to adjacent properties. (Ordinance No. 1053, 1-15-08)*

**5.13.02 Permitted Uses: (Revisions by Ordinance No. 1053, 1-15-08, unless otherwise noted)**

- 5.13.02.01 *Light Manufacturing*
- 5.13.02.02 *Automotive services, except repair, towing and wrecking*
- 5.13.02.03 *Business services*
- 5.13.02.04 *Facilities for building construction contractors*
- 5.13.02.05 *Landscape and horticultural services*
- 5.13.02.06 *Medical and dental laboratories*
- 5.13.02.07 *Assembly of electrical and electronic appliances*
- 5.13.02.08 *Miscellaneous repair services, not including automotive*
- 5.13.02.09 *Printing, publishing, and allied industries*
- 5.13.02.10 *Electric, gas and sanitary services, not including collection and disposal of solid waste or hazardous waste*
- 5.13.02.11 *General warehousing self-service storage facility*
- 5.13.02.12 *Testing laboratories*
- 5.13.02.13 *Publicly owned and operated facilities (Ordinance No. 950, 3-1-05)*
- 5.13.02.14 *Special and vocational training facilities (Ordinance No. 950, 3-1-05)*
- 5.13.02.15 *Wholesale trade of goods*

**5.13.03 Permitted Conditional Uses: (Revisions by Ordinance No. 1053, 1-15-08, unless otherwise noted)**

- 5.13.03.01 *Animal specialty services*
- 5.13.03.02 *Automotive rental / leasing and other heavy equipment rental*
- 5.13.03.03 *Household furniture, furnishings, and equipment store*
- 5.13.03.04 *Hardware, lawn and garden supply store*
- 5.13.03.05 *Lumber and other building materials dealer*
- 5.13.03.06 *Outdoor display of merchandise*
- 5.13.03.07 *Radio, television and communication towers and transmitters, as per Section 7.11*
- 5.13.03.08 *Utility substations, terminal facilities, and reservoirs*
- 5.13.03.09 *Farm-implement sales and service*
- 5.13.03.10 *Cabinetry millwork*
- 5.13.03.11 *Gasoline service stations*
- 5.13.03.12 *Automotive repair services*
- 5.13.03.13 *Sale of recreational vehicles, including boats and jet skis*
- 5.13.03.14 *Indoor recreational facility (Ordinance No. 918, 10-6-03)*
- 5.13.03.15 *Veterinary Services, not including livestock*
- 5.13.03.16 *Self-service storage facility (Ordinance No. 1069, 8-19-08)*
- 5.13.03.17 *Industrial Condominiums (Ordinance No. \_\_\_\_\_, 4-21-15)*

**5.13.04 Permitted Accessory Uses**

- 5.13.04.01 Buildings and uses customarily incidental to the permitted uses
- 5.13.04.02 Parking as permitted in Section 7.05 through 7.09
- 5.13.04.03 Signs allowed in Section 7.01 through 7.04
- 5.13.04.04 Temporary buildings and uses incidental to construction work that will be removed upon completion or abandonment of the construction work
- 5.13.04.05 Landscaping as required by Section 7.17

**5.13.05 Height and Lot Requirements:**

5.13.05.01 The height and minimum lot requirements shall be as follows:

Use	Lot Area (SF) <sup>2</sup>	Lot Width <sup>2</sup>	Front Yard	Side Yard	Rear Yard	Max. Height	Max. Lot Coverage
Permitted Uses	10,000	100	35' <sup>1</sup>	30'	25'	45'	65%
Permitted Conditional Uses	10,000	100	35' <sup>1</sup>	30'	25'	45'	65%

<sup>1</sup> 35' front yard setback required only when no parking is present in the front yard. If parking is located in the front yard then front yard setback is a minimum of sixty (60) feet.

<sup>2</sup> Lots created before January 1, 2008 may have a minimum Lot Area of 10,000 square feet and may have less than the minimum 100 feet lot width. (Ordinance No. 1053, 1-15-08)

**5.13.06 Use Limitations:**

- 5.13.06.01 When adjacent to residentially zoned land, no parking, drives or signs shall be allowed in any required yard within *thirty (30)* feet of such district. Furthermore, permanent screening shall be provided in this area in order to minimize impacts on residentially zoned property, as per Section 7.17.04. (Ordinance No. 1053, 1-15-08)
- 5.13.06.02 No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.
- 5.13.06.03 Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
- 5.13.06.04 No use shall produce a nuisance or hazard from fire, explosion, toxic or corrosive fumes, gas, smoke, odors, obnoxious dust or vapor, harmful radioactivity, offensive noise or vibration, flashes, objectionable effluent, or electrical interference which may affect or impair the normal use and peaceful enjoyment of any surrounding property, structure, or dwelling. (Ordinance No. 1053, 1-15-08)

**5.13.07 Performance Standards:**

See Section 7.16 of the Supplemental Regulations.

SECTION 2. Repeal of Section 5.13 as Previously Enacted. Section 5.13 of Ordinance No. 848 as previously enacted is hereby repealed.

SECTION 3. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 4. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

SECTION 5. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED THIS 21<sup>ST</sup> DAY OF APRIL 2015.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND SECTION 5.14 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.14 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. Amendment of Section 5.14. Section 5.14 of the Ordinance No. 848 is hereby amended to read as follows:

Section 5.14 I-2 Heavy Industrial

**5.14.01 Intent:** *It is the intent of the Heavy Industrial District Regulations to provide for industrial uses and services, including some manufacturing, wholesaling and storage activities; to preserve land for the expansion of the basic economic activities; to avoid incompatible land uses; to serve these areas with adequate transportation facilities; and to prevent or mitigate hazards to adjacent properties. (Ordinance No. 1053, 1-15-08)*

Adult Entertainment Facilities are included in this Zoning District. The intent of the La Vista Zoning Ordinance is not to prohibit these uses but to regulate the secondary effects of these uses within the community.

- 5.14.02 Permitted Uses:** *(Revisions by Ordinance No. 1053, 1-15-08, unless otherwise noted)*
- 5.14.02.01 Assembly, fabrication, packaging, and processing of products inside an enclosed building, except hazardous or toxic materials
  - 5.14.02.02 Automotive services, except repair, towing and wrecking
  - 5.14.02.03 Business services
  - 5.14.02.04 Facilities for building construction contractors
  - 5.14.02.05 Landscape and horticultural services
  - 5.14.02.06 Medical and dental laboratories
  - 5.14.02.07 Miscellaneous repair services, not including automotive
  - 5.14.02.08 Printing, publishing, and allied industries
  - 5.14.02.09 Electric, gas and sanitary services, not including collection and disposal of solid waste or hazardous waste
  - 5.14.02.10 General warehousing
  - 5.14.02.11 Testing laboratories
  - 5.14.02.12 Facilities for heavy construction contractors
  - 5.14.02.13 Manufacturing of apparel, textile mill products, furniture and fixtures, transportation equipment, and assembly of electrical and electronic equipment and components
  - 5.14.02.14 Manufacture of light sheet metal products including heating and ventilation equipment.
  - 5.14.02.15 Manufacturing of food and kindred products, limited to bakery items, dairy products, sugar and confectionary products, and beverages
  - 5.14.02.16 Manufacturing stone, clay, glass and concrete products
  - 5.14.02.17 Millwork; veneer, plywood and structural wood products manufacturing.
  - 5.14.02.18 Publicly owned and operated facilities. *(Ordinance No. 950, 3-1-05)*
  - 5.14.02.19 Special and vocational educational and training facilities. *(Ordinance No. 950, 3-1-05)*
  - 5.14.02.20 Transportation services
  - 5.14.02.21 Trucking and courier services, except air
  - 5.14.02.22 Veterinary Services, including livestock
  - 5.14.02.23 Wholesale trade of goods
- 5.14.03 Permitted Conditional Uses:** *(Revisions by Ordinance No. 1053, 1-15-08, unless otherwise noted)*
- 5.14.03.01 Automotive rental / leasing and other heavy equipment rental

- 5.14.03.02 *Manufacturing of food and kindred products, except bakery items, dairy products, sugar and confectionary products, and beverages*
- 5.14.03.03 *Lumber and other building materials dealer*
- 5.14.03.04 *Outdoor storage or display of merchandise*
- 5.14.03.05 Radio, television and communication towers and transmitters, as per Section 7.11
- 5.14.03.06 Utility substations, terminal facilities, and reservoirs
- 5.14.03.07 Farm-implement sales and service
- 5.14.03.08 *Temporary Batch plant for concrete, asphalt, or paving material, not to exceed 24 months of operations*
- 5.14.03.09 Cabinetry millwork
- 5.14.03.10 *Recycling center for computers, televisions and household items*
- 5.14.03.11 Storage of bulk petroleum products
- 5.14.03.12 *The manufacturing, compounding, processing, extruding, painting, coating and assembly of steel, metal, vinyl, plastic, paper and similar products and related outdoor and indoor storage activities. (Ordinance No. 855, 3-5-02)*
- 5.14.03.13 *Gasoline service stations*
- 5.14.03.14 *Automotive repair services*
- 5.14.03.15 *Sale of recreational vehicles, including boats and jet skis*
- 5.14.03.16 *Indoor recreational facility (Ordinance No. 918, 10-6-03)*
- 5.14.03.17 *Self-service storage facility (Ordinance No. 1069, 8-19-08)*
- 5.14.03.18 Adult Entertainment establishments
1. No Adult business shall be closer than 500 feet to any similar use and no closer than 500feet to a residential district / use, religious uses, educational uses and recreational uses. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the main entrance of such adult business to the point on the property line of such other adult business, residential district / use, religious use, educational uses and recreational use. In addition, no Adult establishment shall be located within the Gateway Corridor Overlay or within 500 feet of said Overlay Corridor.
  2. Said businesses shall be screened along adjoining property lines as to prevent any direct visual contact of the adult business at the perimeter.
  3. Doors, curtains and any other means of obstruction to the opening of all booths and other preview areas, including but not limited to Adult Novelty Businesses, Adult Motion Picture Arcades, Adult Mini-Motion Picture Theaters, and Adult Motion Picture Theaters shall be removed and kept off at all times during the execution of this Permit. Failure to comply with this condition shall result in revocation of the Conditional Use Permit.
  4. No adult business shall be open for business between the hours of one am and six a.m.
  5. The proposed location, design, construction and operation of the particular use adequately safeguards the health, safety, and general welfare of persons residing or working in adjoining or surrounding property.
  6. Such use shall not impair an adequate supply of light and air to surrounding property.
  7. Such use shall not unduly increase congestion in the streets or public danger of fire and safety.
  8. Any explicit signs shall not be seen from any point off-premises.
  9. Such use shall not diminish or impair established property values in adjoining or surrounding property.
  10. Such use shall be in accord with the intent, purpose and spirit of this Ordinance and the Comprehensive Development Plan of La Vista, Nebraska.
  11. Applications for adult businesses under the terms of this Section shall be accompanied by evidence concerning the feasibility of the proposed request and its effect on surrounding property and shall include a site plan defining the areas to be developed for buildings and structure, the areas to be developed for parking, driveways and points of ingress and egress, the location and height of walls, the location and type of landscaping, and the location, size and number of signs.

12. An adult business shall post a sign at the entrance of the premises which shall state the nature of the business and shall state that no one under the age of eighteen (18) years of age is allowed on the premises. This Section shall not be construed to prohibit the owner from establishing an older age limitation for coming on the premises.
13. Prohibited Activities of Adult Businesses
  - A. No adult business shall employ any person less than eighteen (18) years of age.
  - B. No adult business shall furnish any merchandise or services to any person who is under eighteen (18) years of age.
  - C. No adult business shall be conducted in any manner that permits the observation of any model or any material depicting, describing or relating to specified sexual activities or specified anatomical areas by display, decoration, sign, show window or other opening from any public way or from any property not licensed as an adult use. No operator of an adult business or any officer, associate, member, representative, agent, owner, or employee of such business shall engage in any activity or conduct in or about the premises which is prohibited by this Ordinance or any other laws of the State.
  - D. No part of the interior of the adult business shall be visible from the pedestrian sidewalk, walkway, street, or other public or semi-public area.

5.14.03.19 *Industrial Condominiums* (Ordinance No. \_\_\_\_\_, 4-12-15)

**5.14.04 Permitted Accessory Uses:**

- 5.14.04.01 Buildings and uses customarily incidental to the permitted uses
- 5.14.04.02 Parking as permitted in Section 7.05 through 7.09
- 5.14.04.03 Signs allowed in Section 7.01 through 7.04
- 5.14.04.04 Temporary buildings and uses incidental to construction work which will be removed upon completion or abandonment of the construction work
- 5.14.04.05 Live-in quarters used by live-in watchman or custodians during periods of construction
- 5.14.04.06 Landscaping as required by Section 7.17

**5.14.05 Height and Lot Requirements:**

5.14.05.01 The height and minimum lot requirements shall be as follows:

Use	Lot Area (SF) <sup>2</sup>	Lot Width <sup>2</sup>	Front Yard	Side Yard	Rear Yard	Max. Height	Max. Lot Coverage
Permitted Uses	10,000	100	35' <sup>1</sup>	30'	25'	45'	75%
Permitted Conditional Uses	10,000	100	35' <sup>1</sup>	30'	25'	45'	75%

<sup>1</sup> 35' front yard setback required only when no parking is present in the front yard. If parking is located in the front yard then front yard setback is a minimum of sixty (60) feet.

<sup>2</sup> Lots created before January 1, 2008 may have a minimum Lot Area of 10,000 square feet and may have less than the minimum 100 feet lot width. (Ordinance No. 1053, 1-15-08)

**5.14.06 Use Limitations:**

- 5.14.06.01 When adjacent to residentially zoned land, no parking, drives or signs shall be allowed in any required yard within *thirty (30)* feet of such district. Furthermore, permanent screening shall be provided in this area in order to minimize impacts on residentially zoned property, as per Section 7.17.04. (Ordinance No. 1053, 1-15-08)
- 5.14.06.02 Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
- 5.14.06.03 No use shall produce a nuisance or hazard from fire, explosion, toxic or corrosive fumes, gas, smoke, odors, obnoxious dust or vapor, harmful radioactivity, offensive noise or vibration, flashes, objectionable effluent, or electrical interference which may affect or impair the normal use and peaceful enjoyment of any surrounding property, structure, or dwelling. (Ordinance No. 1053, 1-15-08)

SECTION 2. Repeal of Section 5.14 as Previously Enacted. Section 5.14 of Ordinance No. 848 as previously enacted is hereby repealed.

SECTION 3. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 4. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

SECTION 5. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED THIS 21<sup>ST</sup> DAY OF APRIL 2015.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

pollution, glare, lighting, debris generated, contamination of surface or ground water, aesthetics, vibration, electrical interference, and radiation.

- 2.02.95 **COMPREHENSIVE PLAN** shall mean the Comprehensive Plan of La Vista, Nebraska as adopted by the City Council, setting forth policies for the present and foreseeable future community welfare as a whole and meeting the purposes and requirements set forth in Section 19-903, R.R.S. 1943, as the same may, from time-to-time, be amended.
- 2.02.96 **CONDITIONAL USE** shall mean a use where allowed by the district regulations, that would not be appropriate generally throughout the zoning district without restrictions, but which, if controlled as to number, size, area, location, relation to the neighborhood or other minimal protective characteristics would not be detrimental to the public health, safety, and general welfare.
- 2.02.97 **CONDITIONAL USE PERMIT** shall mean a permit issued by the Planning Commission and City Council that authorizes the recipient to make conditional use of property in accordance with the provisions of Article 6 and any additional conditions placed upon, or required by said permit.
- 2.02.98 **CONDOMINIUM** shall mean a structure or structures proposed for construction comprising a project in which an undivided interest in the land is coupled with the right to the exclusive occupancy of a designated residential space and/or spaces and accompanying facilities. ~~shall be as defined in the Nebraska State Statutes Section 76-824 - 76-894, the Condominium Law, whereby four or more apartments are separately offered for sale.~~
- 2.02.99 **CONGREGATE HOUSING** shall mean a residential facility for four or more persons fifty-five (55) years or over, their spouses, or surviving spouses, providing living and sleeping facilities including meal preparation, dining areas, laundry services, room cleaning and common recreational, social, and service facilities for the exclusive use of all residents including resident staff personnel who occupy a room or unit in the residential facility. (Also see Housing for the elderly)
- 2.02.100 **CONSERVATION** shall mean the protection and care that prevent destruction or deterioration of historical or otherwise significant structures, buildings or natural resources.
- 2.02.101 **CONSERVATION AREA** shall mean environmentally sensitive and valuable lands protected from any activity that would significantly alter their ecological integrity, balance or character, except in overriding public interest, including but not limited to: wetlands, floodways, flood plains, drainage ways, river or stream banks, and areas of significant biological productivity or uniqueness.
- 2.02.102 **CONSERVATION EASEMENT** shall mean an easement granting a right or interest in real property that is appropriate to retaining land or water areas predominantly in their natural, scenic, open, or wooded condition and retaining such areas as suitable habitat for fish, plants, or wildlife, or maintaining existing land uses.
- 2.02.103 **CONSTRUCTION** shall mean on-site erection, fabrication, installation, alteration, demolition, or removal of any structure, facility, or addition thereto, including all related activities, but not restricted to, clearing of land, earth moving, blasting and landscaping. (Ordinance No. 1083, 2-17-09)
- 2.02.104 **CONTIGUOUS** shall mean the same as "Abut".
- 2.02.105 **CONTINUING CARE RETIREMENT COMMUNITY** shall offer services and housing packages that allow access to senior independent living, assisted living, and nursing care facilities. Seniors who are independent may live in a single-family home, apartment or condominium within the Continuing Care Retirement Community. When members of the community begin to need help with activities of daily living (e.g. bathing, dressing, eating, etc.), they may be transferred to an assisted living or nursing care facility on the same site.
- 2.02.106 **CONVENIENCE STORE** shall mean a one-story, retail store that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a "supermarket.") It is dependent on, and is designed to attract and



2.02.168 **INDOOR RECREATIONAL FACILITY** shall refer to use of a facility for purposes of recreation. The use shall be completely enclosed within a building with the exception of retractable roofs. Examples include, but are not limited to sports courts, gymnastics, kart racing, batting cages, practice fields, and miniature golf. (Ordinance No. 1083, 2-17-09)

2.02.168 2.02.169 **INDUSTRIAL CONDOMINIUM** shall mean a structure or structures proposed for construction comprising a project in which an undivided interest in the land is coupled with the right to the exclusive occupancy of a designated industrial or manufacturing space and/or spaces and accompanying facilities.

2.02.169 2.02.170 **INDUSTRY** shall mean the manufacture, fabrication, processing reduction or destruction of any article, substance or commodity, or any other treatment thereof in such a manner as to change the form, character, or appearance thereof and including storage elevators, truck storage yards, warehouses, wholesale storage and other similar types of enterprise.

2.02.170 2.02.171 **INOPERABLE MOTOR VEHICLE** shall mean any motor vehicle which: (1) Does not have a current state license plate; or, (2) Which may or may not have a current state license plate, but is disassembled or wrecked in part or in whole, or is unable to move under its own power, or is not equipped as required by Nebraska State Law for operation upon streets or highways. A vehicle which is wholly or partially dismantled shall not be considered inoperable when said vehicle is inside a completely enclosed building.

2.02.171 2.02.172 **INTENSITY** shall mean the degree to which land is used referring to the levels of concentration or activity in uses ranging from uses of low intensity being agricultural and residential to uses of highest intensity being heavy industrial uses. High intensity uses are normally uses that generate concentrations of vehicular traffic and daytime population and are less compatible with lower intensive uses.

2.02.172 2.02.173 **INTENT AND PURPOSE** shall mean that the Commission and Council by the adoption of this Ordinance have made a finding that the health, safety, and welfare of the community will be served by the creation of the zoning districts and by the regulations prescribed therein.

2.02.173 2.02.174 **JUICE BAR** (See Adult Establishment)

2.02.174 2.02.175 **JUNK** shall be any worn-out, cast-off, old, or discarded articles of scrap, copper, brass, iron, steel, rope, rags, batteries, paper, trash, rubber, debris, waste, dismantled or wrecked automobiles, or parts thereof, and other old or scrap ferrous or nonferrous material.

2.02.175 2.02.176 **KENNEL** shall mean an establishment where three (3) or more dogs, cats, or other household pets, or non-farm/non-domestic or any combination of five (5) or more thereof, at least four (4) months of age are boarded as a business. (Ordinance No. 1083, 2-17-09)

2.02.176 2.02.177 **LABORATORY** shall mean a facility used for testing and analyzing medical and dental samples from off-site locations. Testing laboratories shall refer to soil and geotechnical research and analysis. Laboratories do not include human or animal research / testing facilities. (Ordinance No. 1083, 2-17-09)

2.02.177 2.02.178 **LANDSCAPE** shall mean plant materials, topography, and other natural physical elements combined in relation to one another and to man-made structures.

2.02.178 2.02.179 **LANDSCAPING** shall include the original planting of suitable vegetation in conformity with the requirements of this Regulation and the continued maintenance thereof.

2.02.179 2.02.180 **LAUNDRY SERVICE** shall mean an establishment that provides home-type washing, drying, and/or ironing facilities for customers on the premises. (Ordinance No. 1083, 2-17-09)

2.02.180 2.02.181 **LOADING AREA** shall mean an off-street space or berth on the same lot with a main building, or contiguous to a group of buildings, for the temporary parking of commercial vehicles while

**Section 5.13 1-1 Light Industrial.**

**5.13.01 Intent:** *It is the intent of the Light Industrial District Regulations to provide for limited industrial uses and services, including some retail businesses, wholesaling, and storage activities; to preserve land for the expansion of basic economic activities; to avoid incompatible land uses, to serve these areas with adequate transportation facilities, and to prevent or mitigate hazards to adjacent properties. (Ordinance No. 1053, 1-15-08)*

**5.13.02 Permitted Uses:** *(Revisions by Ordinance No. 1053, 1-15-08, unless otherwise noted)*

- 5.13.02.01 *Light Manufacturing*
- 5.13.02.02 *Automotive services, except repair, towing and wrecking*
- 5.13.02.03 *Business services*
- 5.13.02.04 *Facilities for building construction contractors*
- 5.13.02.05 *Landscape and horticultural services*
- 5.13.02.06 *Medical and dental laboratories*
- 5.13.02.07 *Assembly of electrical and electronic appliances*
- 5.13.02.08 *Miscellaneous repair services, not including automotive*
- 5.13.02.09 *Printing, publishing, and allied industries*
- 5.13.02.10 *Electric, gas and sanitary services, not including collection and disposal of solid waste or hazardous waste*
- 5.13.02.11 *General warehousing self-service storage facility*
- 5.13.02.12 *Testing laboratories*
- 5.13.02.13 *Publicly owned and operated facilities (Ordinance No. 950, 3-1-05)*
- 5.13.02.14 *Special and vocational training facilities (Ordinance No. 950, 3-1-05)*
- 5.13.02.15 *Wholesale trade of goods*

**5.13.03 Permitted Conditional Uses:** *(Revisions by Ordinance No. 1053, 1-15-08, unless otherwise noted)*

- 5.13.03.01 *Animal specialty services*
- 5.13.03.02 *Automotive rental / leasing and other heavy equipment rental*
- 5.13.03.03 *Household furniture, furnishings, and equipment store*
- 5.13.03.04 *Hardware, lawn and garden supply store*
- 5.13.03.05 *Lumber and other building materials dealer*
- 5.13.03.06 *Outdoor display of merchandise*
- 5.13.03.07 *Radio, television and communication towers and transmitters, as per Section 7.11*
- 5.13.03.08 *Utility substations, terminal facilities, and reservoirs*
- 5.13.03.09 *Farm-implement sales and service*
- 5.13.03.10 *Cabinetry millwork*
- 5.13.03.11 *Gasoline service stations*
- 5.13.03.12 *Automotive repair services*
- 5.13.03.13 *Sale of recreational vehicles, including boats and jet skis*
- 5.13.03.14 *Indoor recreational facility (Ordinance No. 918, 10-6-03)*
- 5.13.03.15 *Veterinary Services, not including livestock*
- ~~5.13.03.16~~ *Self-service storage facility (Ordinance No. 1069, 8-19-08)*
- ~~5.13.03.16~~ 5.13.03.17 *Industrial Condominiums*

**5.13.04 Permitted Accessory Uses**

- 5.13.04.01 *Buildings and uses customarily incidental to the permitted uses*
- 5.13.04.02 *Parking as permitted in Section 7.05 through 7.09*
- 5.13.04.03 *Signs allowed in Section 7.01 through 7.04*
- 5.13.04.04 *Temporary buildings and uses incidental to construction work that will be removed upon completion or abandonment of the construction work*
- 5.13.04.05 *Landscaping as required by Section 7.17*

**5.13.05 Height and Lot Requirements:**

5.13.05.01 *The height and minimum lot requirements shall be as follows:*

Use	Lot Area (SF) <sup>2</sup>	Lot Width <sup>2</sup>	Front Yard	Side Yard	Rear Yard	Max. Height	Max. Lot Coverage
Permitted Uses	10,000	100	35' <sup>1</sup>	30'	25'	45'	65%
Permitted Conditional Uses	10,000	100	35' <sup>1</sup>	30'	25'	45'	65%

<sup>1</sup> 35' front yard setback required only when no parking is present in the front yard. If parking is located in the front yard then front yard setback is a minimum of sixty (60) feet.

<sup>2</sup> *Lots created before January 1, 2008 may have a minimum Lot Area of 10,000 square feet and may have less than the minimum 100 feet lot width. (Ordinance No. 1053, 1-15-08)*

**5.13.06 Use Limitations:**

- 5.13.06.01 When adjacent to residentially zoned land, no parking, drives or signs shall be allowed in any required yard within *thirty (30)* feet of such district. Furthermore, permanent screening shall be provided in this area in order to minimize impacts on residentially zoned property, as per Section 7.17.04. **(Ordinance No. 1053, 1-15-08)**
- 5.13.06.02 No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.
- 5.13.06.03 Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
- 5.13.06.04 *No use shall produce a nuisance or hazard from fire, explosion, toxic or corrosive fumes, gas, smoke, odors, obnoxious dust or vapor, harmful radioactivity, offensive noise or vibration, flashes, objectionable effluent, or electrical interference which may affect or impair the normal use and peaceful enjoyment of any surrounding property, structure, or dwelling. (Ordinance No. 1053, 1-15-08)*

**5.13.07 Performance Standards:**

See Section 7.16 of the Supplemental Regulations.

## **Section 5.14 I-2 Heavy Industrial**

**5.14.01 Intent:** *It is the intent of the Heavy Industrial District Regulations to provide for industrial uses and services, including some manufacturing, wholesaling and storage activities; to preserve land for the expansion of the basic economic activities; to avoid incompatible land uses; to serve these areas with adequate transportation facilities; and to prevent or mitigate hazards to adjacent properties. (Ordinance No. 1053, 1-15-08)*

Adult Entertainment Facilities are included in this Zoning District. The intent of the La Vista Zoning Ordinance is not to prohibit these uses but to regulate the secondary effects of these uses within the community.

### **5.14.02 Permitted Uses: (Revisions by Ordinance No. 1053, 1-15-08, unless otherwise noted)**

- 5.14.02.01 Assembly, fabrication, *packaging*, and processing of products inside an enclosed building, except hazardous or toxic materials
- 5.14.02.02 *Automotive services, except repair, towing and wrecking*
- 5.14.02.03 *Business services*
- 5.14.02.04 *Facilities for building construction contractors*
- 5.14.02.05 *Landscape and horticultural services*
- 5.14.02.06 *Medical and dental laboratories*
- 5.14.02.07 *Miscellaneous repair services, not including automotive*
- 5.14.02.08 *Printing, publishing, and allied industries*
- 5.14.02.09 *Electric, gas and sanitary services, not including collection and disposal of solid waste or hazardous waste*
- 5.14.02.10 *General warehousing*
- 5.14.02.11 *Testing laboratories*
- 5.14.02.12 *Facilities for heavy construction contractors*
- 5.14.02.13 *Manufacturing of apparel, textile mill products, furniture and fixtures, transportation equipment, and assembly of electrical and electronic equipment and components*
- 5.14.02.14 *Manufacture of light sheet metal products including heating and ventilation equipment.*
- 5.14.02.15 *Manufacturing of food and kindred products, limited to bakery items, dairy products, sugar and confectionary products, and beverages*
- 5.14.02.16 *Manufacturing stone, clay, glass and concrete products*
- 5.14.02.17 *Millwork; veneer, plywood and structural wood products manufacturing-*
- 5.14.02.18 *Publicly owned and operated facilities. (Ordinance No. 950, 3-1-05)*
- 5.14.02.19 *Special and vocational educational and training facilities. (Ordinance No. 950, 3-1-05)*
- 5.14.02.20 *Transportation services*
- 5.14.02.21 *Trucking and courier services, except air*
- 5.14.02.22 *Veterinary Services, including livestock*
- 5.14.02.23 *Wholesale trade of goods*

### **5.14.03 Permitted Conditional Uses: (Revisions by Ordinance No. 1053, 1-15-08, unless otherwise noted)**

- 5.14.03.01 *Automotive rental / leasing and other heavy equipment rental*
- 5.14.03.02 *Manufacturing of food and kindred products, except bakery items, dairy products, sugar and confectionary products, and beverages*
- 5.14.03.03 *Lumber and other building materials dealer*
- 5.14.03.04 *Outdoor storage or display of merchandise*
- 5.14.03.05 *Radio, television and communication towers and transmitters, as per Section 7.11*
- 5.14.03.06 *Utility substations, terminal facilities, and reservoirs*
- 5.14.03.07 *Farm-implement sales and service*
- 5.14.03.08 *Temporary Batch plant for concrete, asphalt, or paving material, not to exceed 24 months of operations*
- 5.14.03.09 *Cabinetry millwork*
- 5.14.03.10 *Recycling center for computers, televisions and household items*
- 5.14.03.11 *Storage of bulk petroleum products*
- 5.14.03.12 *The manufacturing, compounding, processing, extruding, painting, coating and assembly of steel, metal, vinyl, plastic, paper and similar products and related outdoor and indoor storage activities. (Ordinance No. 855, 3-5-02)*
- 5.14.03.13 *Gasoline service stations*
- 5.14.03.14 *Automotive repair services*

5.14.03.15  
5.14.03.16  
5.14.03.17  
5.14.03.18

*Sale of recreational vehicles, including boats and jet skis*  
*Indoor recreational facility (Ordinance No. 918, 10-6-03)*  
*Self-service storage facility (Ordinance No. 1069, 8-19-08)*  
Adult Entertainment establishments

1. No Adult business shall be closer than 500 feet to any similar use and no closer than 500feet to a residential district / use, religious uses, educational uses and recreational uses. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the main entrance of such adult business to the point on the property line of such other adult business, residential district / use, religious use, educational uses and recreational use. In addition, no Adult establishment shall be located within the Gateway Corridor Overlay or within 500 feet of said Overlay Corridor.
2. Said businesses shall be screened along adjoining property lines as to prevent any direct visual contact of the adult business at the perimeter.
3. Doors, curtains and any other means of obstruction to the opening of all booths and other preview areas, including but not limited to Adult Novelty Businesses, Adult Motion Picture Arcades, Adult Mini-Motion Picture Theaters, and Adult Motion Picture Theaters shall be removed and kept off at all times during the execution of this Permit. Failure to comply with this condition shall result in revocation of the Conditional Use Permit.
4. No adult business shall be open for business between the hours of one am and six a.m.
5. The proposed location, design, construction and operation of the particular use adequately safeguards the health, safety, and general welfare of persons residing or working in adjoining or surrounding property.
6. Such use shall not impair an adequate supply of light and air to surrounding property.
7. Such use shall not unduly increase congestion in the streets or public danger of fire and safety.
8. Any explicit signs shall not be seen from any point off-premises.
9. Such use shall not diminish or impair established property values in adjoining or surrounding property.
10. Such use shall be in accord with the intent, purpose and spirit of this Ordinance and the Comprehensive Development Plan of La Vista, Nebraska.
11. Applications for adult businesses under the terms of this Section shall be accompanied by evidence concerning the feasibility of the proposed request and its effect on surrounding property and shall include a site plan defining the areas to be developed for buildings and structure, the areas to be developed for parking, driveways and points of ingress and egress, the location and height of walls, the location and type of landscaping, and the location, size and number of signs.
12. An adult business shall post a sign at the entrance of the premises which shall state the nature of the business and shall state that no one under the age of eighteen (18) years of age is allowed on the premises. This Section shall not be construed to prohibit the owner from establishing an older age limitation for coming on the premises.
13. Prohibited Activities of Adult Businesses
  - A. No adult business shall employ any person less than eighteen (18) years of age.
  - B. No adult business shall furnish any merchandise or services to any person who is under eighteen (18) years of age.
  - C. No adult business shall be conducted in any manner that permits the observation of any model or any material depicting, describing or relating to specified sexual activities or specified anatomical areas by display, decoration, sign, show window or other opening from any public way or from any property not licensed as an adult use. No operator of an adult business or any officer, associate, member, representative, agent, owner, or employee of such business shall engage in any activity or conduct in or about the premises which is prohibited by this Ordinance or any other laws of the State.
  - D. No part of the interior of the adult business shall be visible from the pedestrian sidewalk, walkway, street, or other public or semi-public area.

5.14.03.19

*Industrial Condominiums*

**5.14.04 Permitted Accessory Uses:**

- 5.14.04.01 Buildings and uses customarily incidental to the permitted uses
- 5.14.04.02 Parking as permitted in Section 7.05 through 7.09
- 5.14.04.03 Signs allowed in Section 7.01 through 7.04
- 5.14.04.04 Temporary buildings and uses incidental to construction work which will be removed upon completion or abandonment of the construction work
- 5.14.04.05 Live-in quarters used by live-in watchman or custodians during periods of construction
- 5.14.04.06 Landscaping as required by Section 7.17

**5.14.05 Height and Lot Requirements:**

5.14.05.01 The height and minimum lot requirements shall be as follows:

Use	Lot Area (SF) <sup>2</sup>	Lot Width <sup>2</sup>	Front Yard	Side Yard	Rear Yard	Max. Height	Max. Lot Coverage
Permitted Uses	10,000	100	35' <sup>1</sup>	30'	25'	45'	75%
Permitted Conditional Uses	10,000	100	35' <sup>1</sup>	30'	25'	45'	75%

<sup>1</sup> 35' front yard setback required only when no parking is present in the front yard. If parking is located in the front yard then front yard setback is a minimum of sixty (60) feet.

<sup>2</sup> Lots created before January 1, 2008 may have a minimum Lot Area of 10,000 square feet and may have less than the minimum 100 feet lot width. (Ordinance No. 1053, 1-15-08)

**5.14.06 Use Limitations:**

- 5.14.06.01 When adjacent to residentially zoned land, no parking, drives or signs shall be allowed in any required yard within *thirty (30)* feet of such district. Furthermore, permanent screening shall be provided in this area in order to minimize impacts on residentially zoned property, as per Section 7.17.04. **(Ordinance No. 1053, 1-15-08)**
- 5.14.06.02 Exterior lighting fixtures shall be shaded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
- 5.14.06.03 *No use shall produce a nuisance or hazard from fire, explosion, toxic or corrosive fumes, gas, smoke, odors, obnoxious dust or vapor, harmful radioactivity, offensive noise or vibration, flashes, objectionable effluent, or electrical interference which may affect or impair the normal use and peaceful enjoyment of any surrounding property, structure, or dwelling. (Ordinance No. 1053, 1-15-08)*

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
APRIL 21, 2015 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
CONDITIONAL USE PERMIT, REPLAT & SUBDIVISION AGREEMENT – SELF-SERVICE STORAGE FACILITY LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2 (S OF GILES ON 126 <sup>TH</sup> ST.)	◆ RESOLUTION (3) ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A public hearing has been scheduled and resolutions prepared for Council to consider an application for a Conditional Use Permit, Replat and Subdivision Agreement for a self-service storage facility on Lot 1, Sarpy County Industrial Park Replat 2, generally located ½ mile south of Giles Road on the east side of 126<sup>th</sup> Street.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval.

**BACKGROUND**

A public hearing has been scheduled to consider an application submitted by the property owner, SGTS, LLC, for a Conditional Use Permit, Replat and Subdivision Agreement to allow for a self-service storage facility on Lot 1, Sarpy County Industrial Park Replat 2, to be replatted as Lot 2, Sarpy County Industrial Park Replat 3. The property is zoned I-1 Light Industrial. The applicant proposes to construct self-service storage units.

A detailed staff report is attached.

The Planning Commission held a public hearing on March 19, 2015, and voted unanimously to recommend approval of the Conditional Use Permit.

**RESOLUTION NO. 15-\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR SGTS, LLC, TO ALLOW FOR A SELF-SERVICE STORAGE FACILITY ON LOT 2, SARPY COUNTY INDUSTRIAL PARK REPLAT 3.

WHEREAS, SGTS, LLC has applied for a conditional use permit for to allow for a self-service storage facility on Lot 2, Sarpy County Industrial Park Replat 3, located ½ mile south of Giles Road on the east side of 126<sup>th</sup> Street; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit for such purposes.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, for SGTS, LLC to allow for a self-service storage facility on Lot 2, Sarpy County Industrial Park Replat 3.

PASSED AND APPROVED THIS 21<sup>st</sup> DAY OF APRIL 2015.

CITY OF LA VISTA

ATTEST:

\_\_\_\_\_  
Douglas Kindig, Mayor

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk



**RESOLUTION NO. 15 - \_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE REPLAT FOR LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, TO BE REPLATTED AS LOT 2, SARPY COUNTY INDUSTRIAL PARK REPLAT 3, A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of a replat for Lot 1, Sarpy County Industrial Park Replat 2, to be replatted as Lot 2, Sarpy County Industrial Park Replat 3; and

WHEREAS, the City Engineer has reviewed the replat; and

WHEREAS, on March 19, 2015, the La Vista Planning Commission held a public hearing and reviewed the replat and recommended approval.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the replat for Lot 1, Sarpy County Industrial Park Replat 2, to be replatted as Lot 2, Sarpy County Industrial Park Replat 3, a subdivision located in the Northeast  $\frac{1}{4}$  of Section 19, Township 14 North, Range 12 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located  $\frac{1}{2}$  mile of Giles Road on the east side of 126<sup>th</sup> Street be, and hereby is, approved.

PASSED AND APPROVED THIS 21<sup>st</sup> DAY OF APRIL 2015.

CITY OF LA VISTA

ATTEST:

\_\_\_\_\_  
Douglas Kindig, Mayor

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

**RESOLUTION NO. 15 - \_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A SUBDIVISION AGREEMENT FOR LOT 2, SARPY COUNTY INDUSTRIAL PARK REPLAT 3 SUBDIVISION.

WHEREAS, the City Council did on April 21, 2015, approve the replat for Lot 2, Sarpy County Industrial Park Replat 3 Subdivision subject to certain conditions; and

WHEREAS, the Subdivider, SGTS, Inc., has agreed to execute a Subdivision Agreement satisfactory in form and content to the City; and

NOW THEREFORE, BE IT RESOLVED, that the Subdivision Agreement presented at the April 21, 2015, City Council meeting for the Sarpy County Industrial Park Replat 3 Subdivision be and hereby is approved and the Mayor and City Clerk be and hereby are authorized to execute same on behalf of the City, subject to the conditions of Council replat approval and with such modifications that the City Administrator or City Engineer may determine necessary or advisable.

PASSED AND APPROVED THIS 21<sup>ST</sup> DAY OF APRIL 2015.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk



**CITY OF LA VISTA  
PLANNING DIVISION**

**RECOMMENDATION REPORT**

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CASE NUMBER: 2015-CUP-01  
2015-SUB-01

FOR HEARING OF: April 21, 2015  
Report Prepared on April 1, 2015

**I. GENERAL INFORMATION**

- A. APPLICANT:** SGTS LLC
- B. PROPERTY OWNER:** SGTS LLC
- C. LOCATION:** ½ Mile south of the intersection of 126<sup>th</sup> Street and West Giles Road
- D. LEGAL DESCRIPTION:** Lot 1, Sarpy County Industrial Park Replat 2 to be replatted as Lot 2, Sarpy County Industrial Park Replat 3
- E. REQUESTED ACTION(S):** Conditional Use Permit, and Replat.
- 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 Self-Storage Facility consisting of 9 self-service storage buildings, one with an office.
- H. SIZE OF SITE:** 7.27 acres

**II. BACKGROUND INFORMATION**

- A. EXISTING CONDITION OF SITE:** Vacant, mostly flat with a moderate downgrade on the south and west edges abutting Westmont Creek.
- B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**
  - 1. **North:** Sarpy County Industrial Park; I-1 Light Industrial
  - 2. **East:** Papio Valley 2 Business Park; I-2 Heavy Industrial
  - 3. **South:** Papillion, Pink Industrial Park; Agricultural and Limited Industrial
  - 4. **West:** CLAAS Omaha; I-2 Heavy Industrial

**C. RELEVANT CASE HISTORY:**

1. The proposed replat will create a parcel that exists within the jurisdictions of both the City of La Vista and the City of Papillion.

**D. APPLICABLE REGULATIONS:**

1. Section 5.13 of the Zoning Regulations – I-1 Light Industrial
2. Section 5.14 of the Zoning Regulations – I-2 Heavy Industrial
3. Article 6 of the Zoning Regulations – Conditional Use Permits
4. Section 7.06 of the Zoning Regulations – Schedule of Minimum Off-Street Parking Requirements
5. Section 3.07 of the Subdivision Regulations – Replats

**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 126<sup>th</sup> Street and a proposed blanket easement provides for future access to the south.

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

**F. PARKING REQUIREMENTS:** The site plan exceeds parking minimums set by the Zoning Ordinance.

**G. LANDSCAPING:** Development of this lot will need to be landscaped according to Section 7.17 of the La Vista Zoning Ordinance.

**IV. REVIEW COMMENTS:**

1. Prior to building permit issuance, a statement by a qualified environmental specialist will be needed to indicate whether jurisdictional waterways or wetlands exist or are believed to exist.
2. Additionally, a floodplain development permit will be required prior to any building permit issuance on this project.

**VI. STAFF RECOMMENDATION - REPLAT:**

Staff recommends approval of Sarpy County Industrial Park Replat 3 contingent upon City Attorney and City approval of the subdivision agreement prior to the release of the final plat and signed subdivision agreement for recording.

**VII. PLANNING COMMISSION RECOMMENDATION – REPLAT:**

The Planning Commission held a public hearing on March 19, 2015 and unanimously recommended approval of the Replat to City Council.

**VIII. STAFF RECOMMENDATION – CONDITIONAL USE PERMIT (CUP):**

Staff recommends approval.

**IX. PLANNING COMMISSION RECOMMENDATION – CONDITIONAL USE PERMIT (CUP):**

The Planning Commission held a public hearing on March 19, 2015 and unanimously recommended approval of the Conditional Use Permit with a condition that a satisfactory landscaping plan is provided prior to review by the City Council.

**X. ATTACHMENTS TO REPORT:**

1. Vicinity Map
2. Replat Documents
3. Draft Conditional Use Permit
4. Draft Subdivision Agreement

**XI. COPIES OF REPORT TO:**

1. Ram Hingorani, SGTS LLC
2. Matt Hubel, The Schemmer Associates
3. Mark Stursma, City of Papillion Planning Director
4. Public Upon Request

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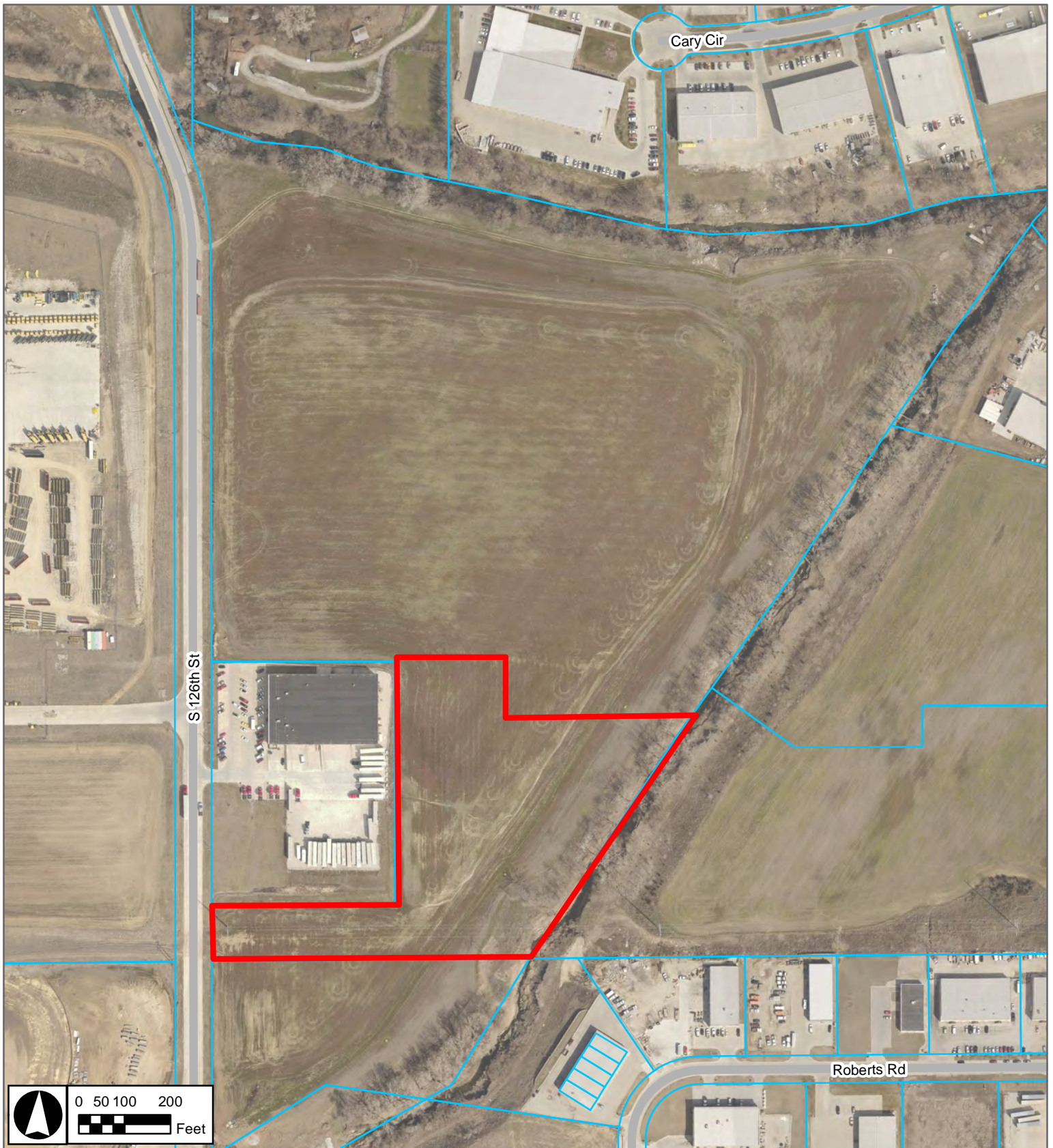
Prepared by

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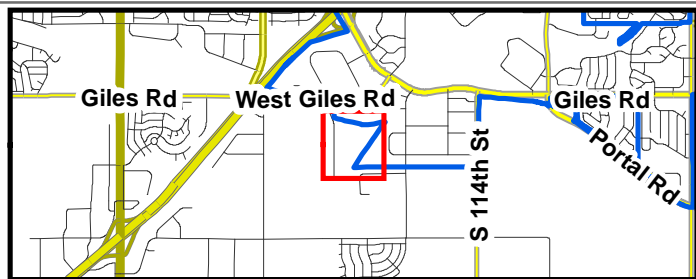
Community Development Director

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Date



### Project Vicinity Map



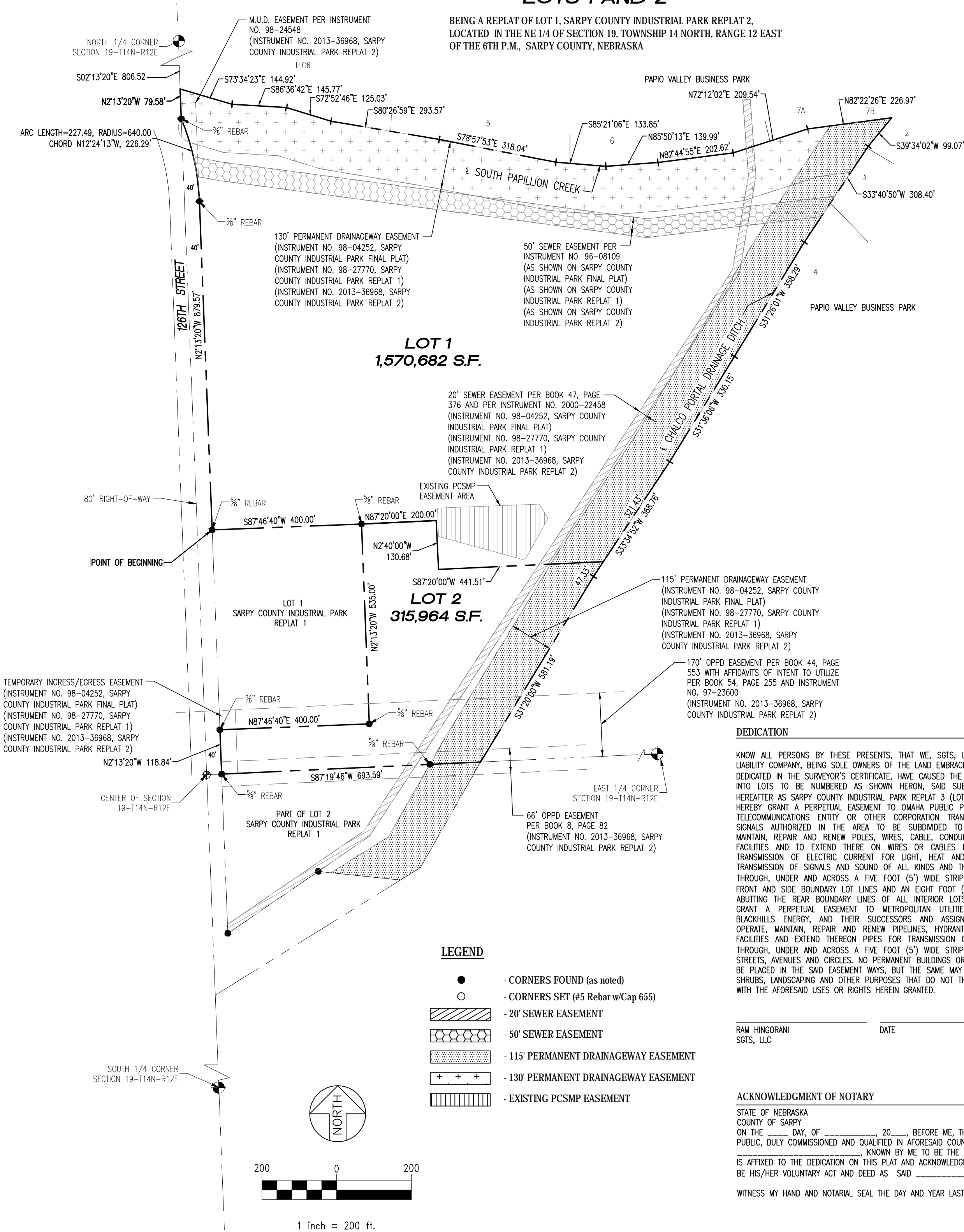
## 126th & West Giles Storage Facility

3-9-2015  
CSB



# SARPY COUNTY INDUSTRIAL PARK REPLAT 3 LOTS 1 AND 2

BEING A REPLAT OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2,  
LOCATED IN THE NE 1/4 OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 12 EAST  
OF THE 6TH P.M., SARPY COUNTY, NEBRASKA



## LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED IN COMPLIANCE WITH THE LAWS OF THE STATE OF NEBRASKA, AND THAT THIS PLAT MEETS OR EXCEEDS THE "MINIMUM STANDARDS FOR SURVEYS" ADOPTED BY THE NEBRASKA STATE BOARD OF EXAMINERS FOR LAND SURVEYORS. FURTHER, I HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF THE SUBDIVISION DESCRIBED HEREON AND THAT PERMANENT MARKERS WILL BE SET (OR HAVE BEEN SET) AT ALL LOT CORNERS, ANGLE POINTS AND AT THE ENDS OF ALL CURVES WITHIN THE SUBDIVISION TO BE KNOWN AS SARPY COUNTY INDUSTRIAL PARK REPLAT 3, BEING A REPLATING OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2. DESCRIBED AS FOLLOWS:

LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, A SUBDIVISION LOCATED IN THE NE 1/4 OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, SAID SARPY COUNTY INDUSTRIAL PARK REPLAT 1, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF 126TH STREET; THENCE N02°13'20"W, (ASSUMED BEARING) ALONG THE WEST LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, SAID LINE ALSO BEING SAID EAST RIGHT-OF-WAY LINE OF 126TH STREET, A DISTANCE OF 879.57 FEET; THENCE NORTHWESTERLY, ALONG SAID EAST RIGHT-OF-WAY LINE OF 126TH STREET, SAID LINE ALSO BEING SAID WEST LINE OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, ON A CURVE TO THE LEFT WITH A RADIUS OF 640.00 FEET, A DISTANCE OF 227.49 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N12°24'13"W, A DISTANCE OF 226.29 FEET TO A POINT ON THE WEST LINE OF SAID NE 1/4 OF SECTION 19; THENCE N02°13'20"W ALONG SAID WEST LINE OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, SAID LINE ALSO BEING SAID WEST LINE OF THE NE 1/4 OF SECTION 19, A DISTANCE OF 79.58 FEET TO A POINT ON THE CENTERLINE OF THE SOUTH PAVILLION CREEK, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2; THENCE SOUTHEASTERLY AND NORTHEASTERLY ALONG SAID CENTERLINE OF THE SOUTH PAVILLION CREEK, SAID LINE ALSO BEING THE NORTH LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2 ON THE FOLLOWING DESCRIBED COURSES; THENCE S73°34'23"E, A DISTANCE OF 144.92 FEET; THENCE S86°36'42"E, A DISTANCE OF 145.77 FEET; THENCE S72°52'46"E, A DISTANCE OF 125.03 FEET; THENCE S80°26'59"E, A DISTANCE OF 293.57 FEET; THENCE S78°57'53"E, A DISTANCE OF 318.04 FEET; THENCE S85°21'06"E, A DISTANCE OF 133.85 FEET; THENCE N85°50'13"E, A DISTANCE OF 139.99 FEET; THENCE N82°44'55"E, A DISTANCE OF 202.62 FEET; THENCE N72°12'02"E, A DISTANCE OF 209.54 FEET; THENCE N82°22'26"E, A DISTANCE OF 226.97 FEET TO THE INTERSECTION OF SAID CENTERLINE OF THE SOUTH PAVILLION CREEK AND THE CENTERLINE OF THE CHALCO-PORTAL DRAINAGE DITCH; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE OF THE CHALCO-PORTAL DRAINAGE DITCH SAID LINE ALSO BEING THE EASTERLY LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, ON THE FOLLOWING DESCRIBED COURSES; THENCE S39°34'02"W, A DISTANCE OF 99.07 FEET; THENCE S33°40'50"W, A DISTANCE OF 308.40 FEET; THENCE S31°26'01"W, A DISTANCE OF 358.29 FEET; THENCE S31°36'06"W, A DISTANCE OF 330.15 FEET; THENCE S33°34'52"W, A DISTANCE OF 368.76 FEET; THENCE S31°20'00"W, A DISTANCE OF 581.19 FEET TO THE INTERSECTION OF SAID CENTERLINE OF THE CHALCO-PORTAL DRAINAGE DITCH AND THE SOUTH LINE OF SAID NE 1/4 OF SECTION 19; THENCE S87°19'46"W, ALONG SAID SOUTH LINE OF THE NE 1/4 OF SECTION 19, A DISTANCE OF 693.59 FEET TO A POINT ON SAID WEST LINE OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, SAID POINT ALSO BEING ON SAID EAST RIGHT-OF-WAY LINE OF 126TH STREET; THENCE N02°13'20"W ALONG SAID EAST RIGHT-OF-WAY LINE OF 126TH STREET, SAID LINE ALSO BEING SAID WEST LINE OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, A DISTANCE OF 118.84 FEET TO THE SOUTHWEST CORNER OF LOT 1, SAID SARPY COUNTY INDUSTRIAL PARK REPLAT 1; THENCE N87°46'40"E ALONG THE SOUTH LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1, A DISTANCE OF 400.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1; THENCE N02°13'20"W ALONG THE EAST LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1, A DISTANCE OF 535.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1; THENCE S87°46'40"W ALONG THE NORTH LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1, A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF LAND 1,886,646 SQ. FT. OR 43.311 ACRES MORE OR LESS.

TIMOTHY J. CONWAY R.L.S. # 655 \_\_\_\_\_ DATE \_\_\_\_\_

## REVIEW BY SARPY COUNTY PUBLIC WORKS

REVIEW OF SARPY COUNTY SURVEYOR

THIS PLAT OF SARPY COUNTY INDUSTRIAL PARK REPLAT 3 WAS REVIEWED BY THE OFFICE OF SARPY COUNTY SURVEYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

SARPY COUNTY SURVEYOR \_\_\_\_\_ (SEAL)

## COUNTY TREASURERS CERTIFICATION

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY AS DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED IN THIS PLAT AS SHOWN BY THE RECORDS OF THIS OFFICE.

COUNTY TREASURER \_\_\_\_\_ DATE \_\_\_\_\_

## ACCEPTANCE BY LA VISTA CITY COUNCIL

THIS PLAT OF SARPY COUNTY INDUSTRIAL PARK REPLAT 3 (LOTS NUMBERED AS SHOWN) WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ON THIS \_\_\_\_\_ DAY \_\_\_\_\_, 20\_\_\_\_, IN ACCORDANCE WITH STATE STATUTES OF NEBRASKA.

ATTEST \_\_\_\_\_ MAYOR

## APPROVAL OF LA VISTA CITY PLANNING COMMISSION

THIS PLAT OF SARPY COUNTY INDUSTRIAL PARK REPLAT 3 (LOTS NUMBERED AS SHOWN) WAS APPROVED BY THE CITY PLANNING COMMISSION ON THIS \_\_\_\_\_ DAY \_\_\_\_\_, 20\_\_\_\_.

CHAIRMAN OF LA VISTA CITY PLANNING COMMISSION \_\_\_\_\_

## APPROVAL OF SARPY COUNTY REGISTRAR OF DEEDS

RECORDED ON THIS \_\_\_\_\_ DAY \_\_\_\_\_, 20\_\_\_\_.

SARPY COUNTY REGISTRAR OF DEEDS \_\_\_\_\_ DATE \_\_\_\_\_

## ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA  
COUNTY OF SARPY  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AFORESAID COUNTY PERSONALLY APPEARED \_\_\_\_\_ KNOWN BY ME TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE DEDICATION ON THIS PLAT AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS/HER VOLUNTARY ACT AND DEED AS SAID \_\_\_\_\_  
WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND YEAR LAST ABOVE MENTIONED.

NOTARY PUBLIC \_\_\_\_\_ MY COMMISSION EXPIRES \_\_\_\_\_

DESIGNED	ASB	TJC	BY
DRAWN	ASB	TJC	BY
CHECKED	TJC	TJC	BY

BOOK	2007-1	DATE	12-29-14
BY	APP	DATE	4-15-15
BY	APP	DATE	1-30-15

THIS DRAWING IS BEING SUBMITTED FOR THE CITY OF LA VISTA. THE CITY OF LA VISTA COMMENTS, DATED 2-9-15, ARE INCORPORATED INTO THIS DRAWING. THE CITY OF LA VISTA COMMENTS, DATED 2-9-15, ARE INCORPORATED INTO THIS DRAWING. THE CITY OF LA VISTA COMMENTS, DATED 2-9-15, ARE INCORPORATED INTO THIS DRAWING.

# SCHEMMER

ARCHITECTS | ENGINEERS | PLANNERS

SARPY COUNTY INDUSTRIAL PARK REPLAT 3  
LOTS 1 AND 2  
SARPY COUNTY, NEBRASKA

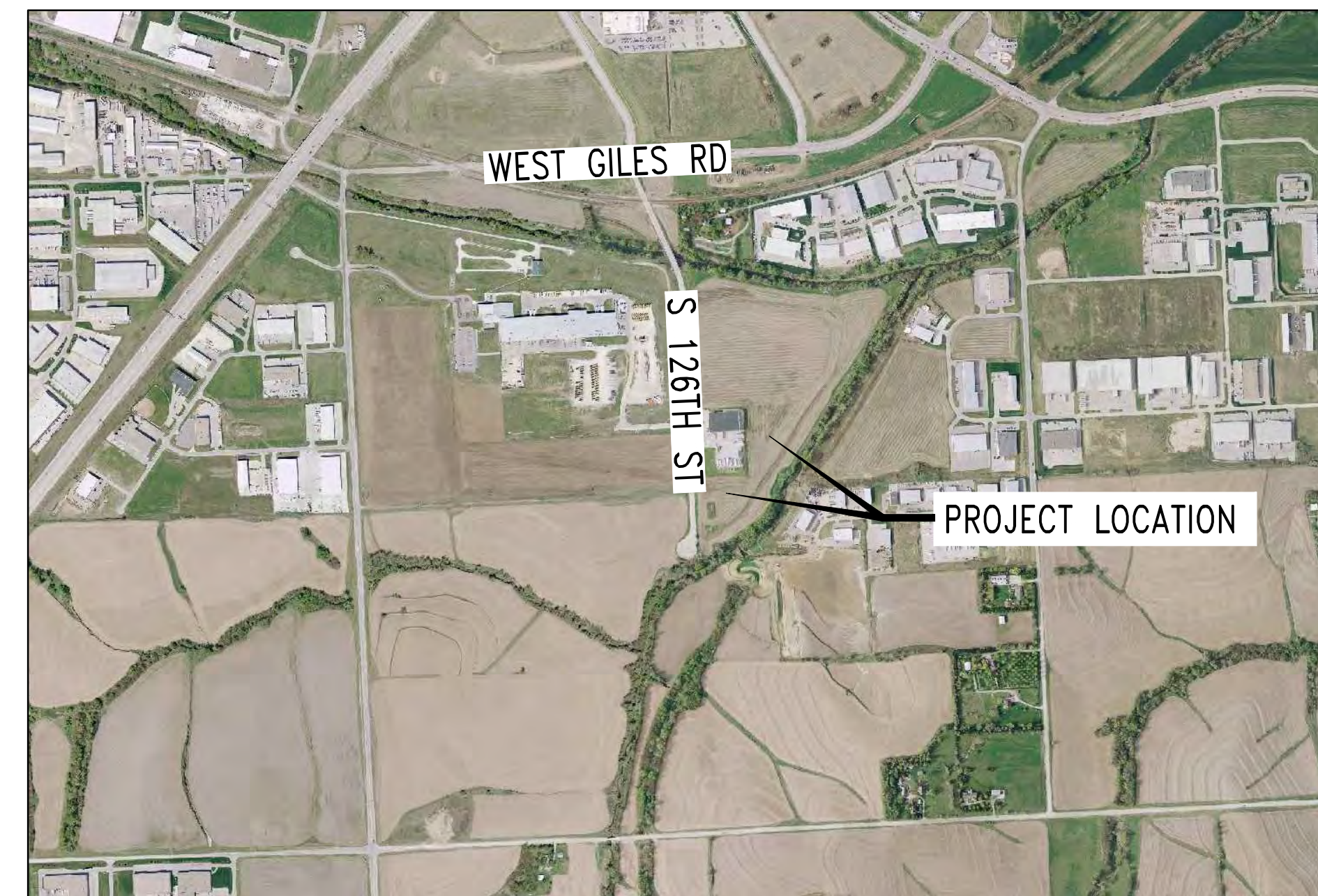
FINAL PLAT

JOB NO.  
06416.005

SHEET  
1 of 1

# SARPY COUNTY INDUSTRIAL PARK REPLAT 3 PRELIMINARY PLAT

## LOTS 1 AND 2 LA VISTA, NEBRASKA



1 LOCATION MAP  
NO SCALE



DRAWING INDEX:	
<b>GENERAL</b>	
0	COVER SHEET
<b>CIVIL</b>	
CO-01	PRELIMINARY PLAT
C1-01	OVERALL DEVELOPMENT PLAN
C1-02	SITE PLAN
C1-03	SEDIMENT & EROSION CONTROL PLAN
C1-04	SITE UTILITY PLAN
C1-05	POST CONSTRUCTION STORMWATER MANAGEMENT PLAN
C1-06	EASEMENT PLAN
C1-07	SHARED IMPROVEMENTS PLAN
C1-08	LANDSCAPING PLAN
OWNER: SGT'S LLC 8719 S. 135TH ST OMAHA, NE 68138	
SUBDIVIDER: SGT'S LLC 8719 S. 135TH ST OMAHA, NE 68138	
ENGINEER: THE SCHEMMER ASSOCIATES 1044 N. 115TH ST, SUITE 300 OMAHA, NE 68154	
SURVEYOR: THE SCHEMMER ASSOCIATES 1044 N. 115TH ST, SUITE 300 OMAHA, NE 68154	

NOTE:  
UNDERGROUND UTILITY LOCATIONS SHOWN ARE FROM  
INFORMATION PROVIDED TO US FROM UTILITY  
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INFORMATION CONTAINED IN THEIR DOCUMENTS AND  
PROVIDES IT ONLY AS GENERAL INFORMATION TO THE  
RECEIVER. FOR SPECIFIC LOCATIONS DURING  
CONSTRUCTION CALL NATIONWIDE 811, STATEWIDE  
1-800-331-5666 OR METRO OMAHA 344-3565  
PRIOR TO DIGGING. [www.ne-diggers.com](http://www.ne-diggers.com)



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MH			

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SARPY COUNTY INDUSTRIAL PARK REPLAT 3  
LOTS 1 AND 2  
PRELIMINARY PLAT  
LA VISTA, NEBRASKA  
COVER SHEET

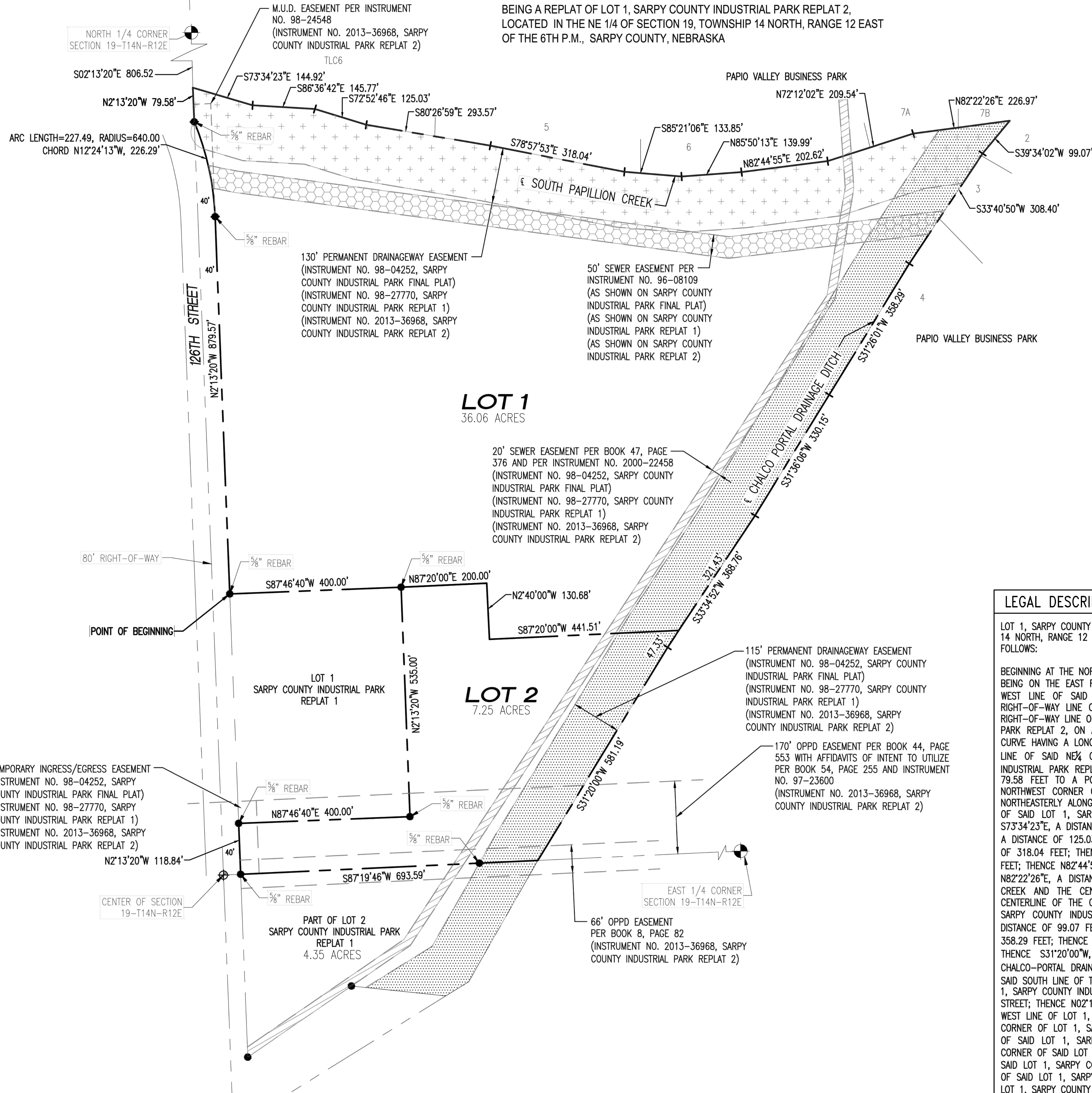
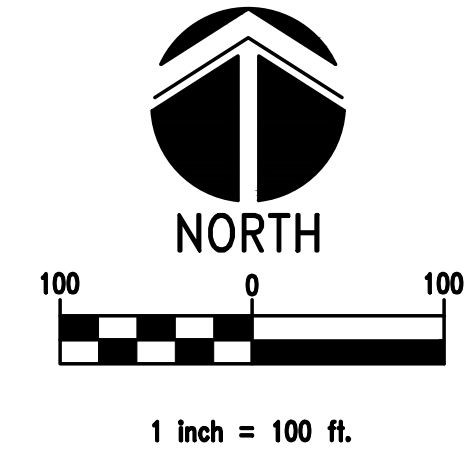
PROJECT NO.: 06601.001

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# SARPY COUNTY INDUSTRIAL PARK REPLAT 3 LOTS 1 AND 2

BEING A REPLAT OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2,  
LOCATED IN THE NE 1/4 OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 12 EAST  
OF THE 6TH P.M., SARPY COUNTY, NEBRASKA



### LEGEND

- - CORNERS FOUND (as noted)
- - CORNERS SET (#5 Rebar w/Cap 655)
- 20' SEWER EASEMENT
- 50' SEWER EASEMENT
- 115' PERMANENT DRAINAGEWAY EASEMENT
- 130' PERMANENT DRAINAGEWAY EASEMENT

### ZONING:

<b>LOT 1</b>
EXISTING ZONING: I-1 (NO REZONING PROPOSED)
<b>LOT 2</b>
EXISTING ZONING: I-1 PROPOSED ZONING: I-2

### LEGAL DESCRIPTION:

LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, A SUBDIVISION LOCATED IN THE NE 1/4 OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, SAID SARPY COUNTY INDUSTRIAL PARK REPLAT 1, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF 126TH STREET; THENCE N02°13'20"W, (ASSUMED BEARING) ALONG THE WEST LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, SAID LINE ALSO BEING SAID EAST RIGHT-OF-WAY LINE OF 126TH STREET, A DISTANCE OF 879.57 FEET; THENCE NORTHWESTERLY, ALONG SAID EAST RIGHT-OF-WAY LINE OF 126TH STREET, SAID LINE ALSO BEING SAID WEST LINE OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, ON A CURVE TO THE LEFT WITH A RADIUS OF 640.00 FEET, A DISTANCE OF 227.49 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N12°24'13"W, A DISTANCE OF 226.29 FEET TO A POINT ON THE WEST LINE OF SAID NE 1/4 OF SECTION 19; THENCE N02°13'20"W ALONG SAID WEST LINE OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, SAID LINE ALSO BEING SAID WEST LINE OF THE NE 1/4 OF SECTION 19, A DISTANCE OF 79.58 FEET TO A POINT ON THE CENTERLINE OF THE SOUTH PAPILLION CREEK, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2; THENCE SOUTHEASTERLY AND NORTHEASTERLY ALONG SAID CENTERLINE OF THE SOUTH PAPILLION CREEK, SAID LINE ALSO BEING THE NORTH LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2 ON THE FOLLOWING DESCRIBED COURSES; THENCE S73°34'23"E, A DISTANCE OF 144.92 FEET; THENCE S86°36'42"E, A DISTANCE OF 145.77 FEET; THENCE S72°52'46"E, A DISTANCE OF 125.03 FEET; THENCE S80°26'59"E, A DISTANCE OF 293.57 FEET; THENCE S78°57'53"E, A DISTANCE OF 318.04 FEET; THENCE S85°21'06"E, A DISTANCE OF 133.85 FEET; THENCE N85°50'13"E, A DISTANCE OF 139.99 FEET; THENCE N82°44'55"E, A DISTANCE OF 202.62 FEET; THENCE N72°12'02"E, A DISTANCE OF 209.54 FEET; THENCE N82°22'26"E, A DISTANCE OF 226.97 FEET TO THE INTERSECTION OF SAID CENTERLINE OF THE SOUTH PAPILLION CREEK AND THE CENTERLINE OF THE CHALCO-PORTAL DRAINAGE DITCH; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE OF THE CHALCO-PORTAL DRAINAGE DITCH SAID LINE ALSO BEING THE EASTERLY LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, ON THE FOLLOWING DESCRIBED COURSES; THENCE S39°34'02"W, A DISTANCE OF 99.07 FEET; THENCE S33°40'50"W, A DISTANCE OF 308.40 FEET; THENCE S31°26'01"W, A DISTANCE OF 358.29 FEET; THENCE S31°36'06"W, A DISTANCE OF 330.15 FEET; THENCE S33°34'52"W, A DISTANCE OF 368.76 FEET; THENCE S31°20'00"W, A DISTANCE OF 581.19 FEET TO THE INTERSECTION OF SAID CENTERLINE OF THE CHALCO-PORTAL DRAINAGE DITCH AND THE SOUTH LINE OF SAID NE 1/4 OF SECTION 19; THENCE S87°19'46"W, ALONG SAID SOUTH LINE OF THE NE 1/4 OF SECTION 19, A DISTANCE OF 693.59 FEET TO A POINT ON SAID WEST LINE OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, SAID POINT ALSO BEING ON SAID EAST RIGHT-OF-WAY LINE OF 126TH STREET; THENCE N02°13'20"W ALONG SAID EAST RIGHT-OF-WAY LINE OF 126TH STREET, SAID LINE ALSO BEING SAID WEST LINE OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, A DISTANCE OF 118.84 FEET TO THE SOUTHWEST CORNER OF LOT 1, SAID SARPY COUNTY INDUSTRIAL PARK REPLAT 1; THENCE N87°46'40"E ALONG THE SOUTH LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1, A DISTANCE OF 400.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1; THENCE N02°13'20"W ALONG THE EAST LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1, A DISTANCE OF 535.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1; THENCE S87°46'40"W ALONG THE NORTH LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1, A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF LAND 1886646 SQ. FT. OR 43.311 ACRES MORE OR LESS.

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	BY: DESCRIPTION:

PROJECT NO.: 06601.001
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SARPY COUNTY INDUSTRIAL PARK REPLAT 3  
LOTS 1 AND 2  
PRELIMINARY PLAT  
LA VISTA, NEBRASKA  
PRELIMINARY PLAT

PROJECT NO.: 06601.001

**C0-01**



ZONE AE FLOODPLAIN  
 ZONE AE FLOODWAY  
 ZONE X  
 PROPOSED SELF-STORAGE BUILDING

NORTH  
  
 1 Inch = 80 ft.

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SARP COUNTY INDUSTRIAL PARK REPLAT 3  
 LOTS 1 AND 2  
 PRELIMINARY PLAT  
 LA VISTA, NEBRASKA  
 OVERALL DEVELOPMENT PLAN

PROJECT NO.: 06601.001

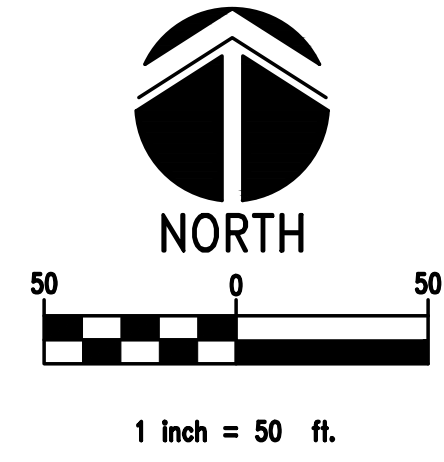
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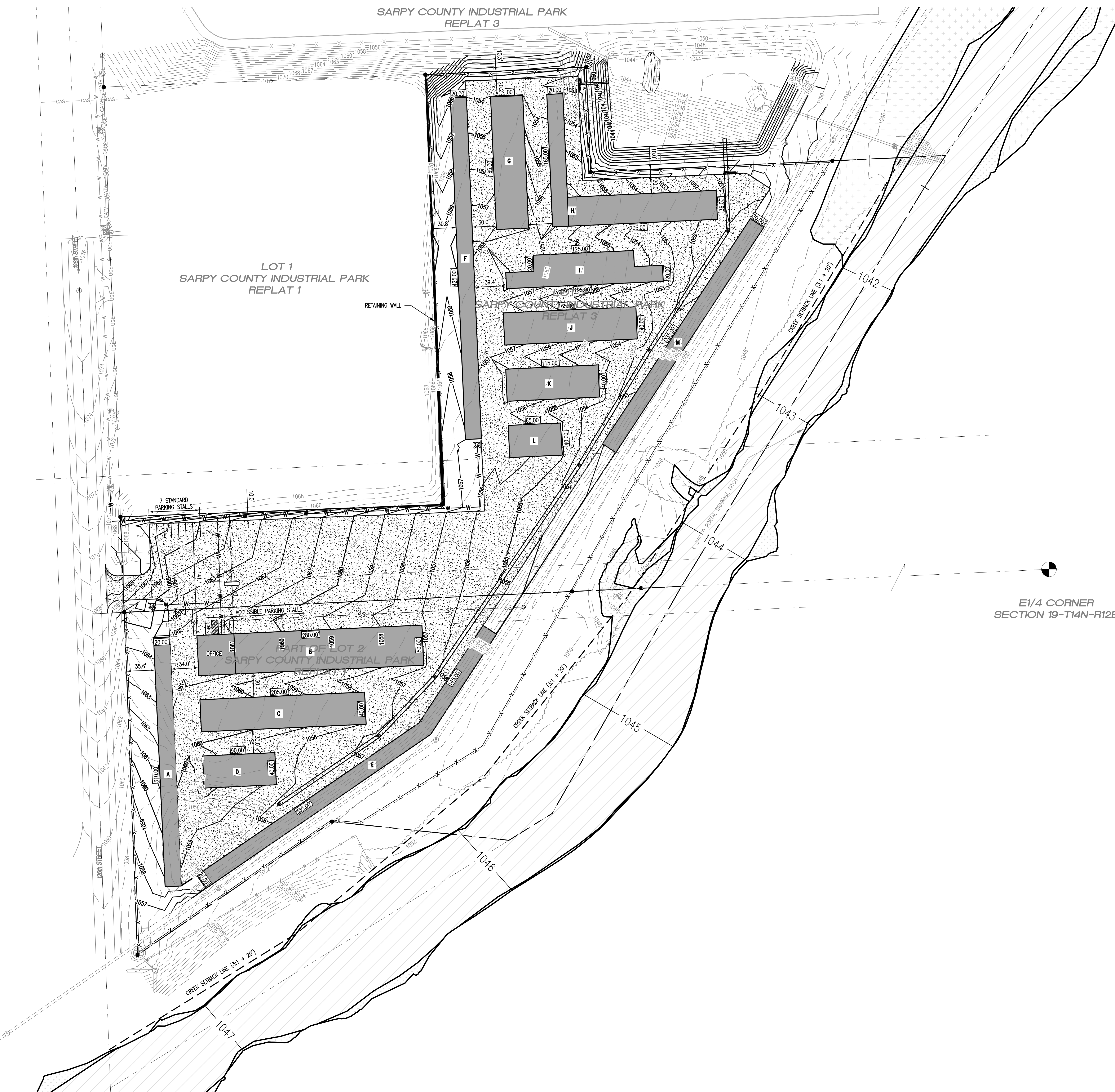
SARPY COUNTY INDUSTRIAL PARK  
REPLAT 3

LOT 1  
SARPY COUNTY INDUSTRIAL PARK  
REPLAT 1

ZONE AE FLOODPLAIN  
 ZONE AE FLOODWAY  
 ZONE X  
 PROPOSED SELF-STORAGE BUILDING



BUILDING AREA	
A	6,200 S.F.
B	14,000 S.F.
C	8,200 S.F.
D	3,600 S.F.
E	9,678 S.F.
F	8,500 S.F.
G	6,600 S.F.
H	9,960 S.F.
I	6,400 S.F.
J	6,600 S.F.
K	4,600 S.F.
L	2,600 S.F.
M	6,700 S.F.
TOTAL	93,638 S.F.



E1/4 CORNER  
SECTION 19-T14N-R12E

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SARPY COUNTY INDUSTRIAL PARK REPLAT 3  
LOTS 1 AND 2  
PRELIMINARY PLAT  
LA VISTA, NEBRASKA  
SITE PLAN

PROJECT NO.: 06601.001

C1-02

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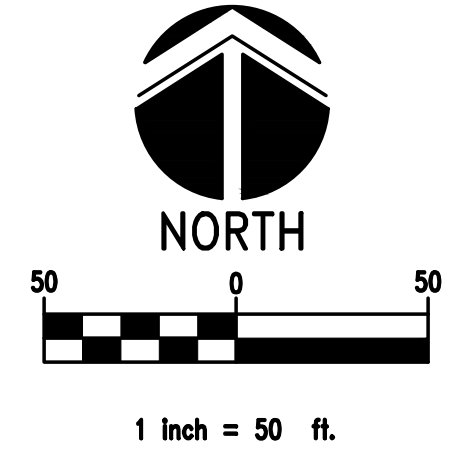
SARPY COUNTY INDUSTRIAL PARK  
REPLAT 3

LOT 1  
SARPY COUNTY INDUSTRIAL PARK  
REPLAT 1

SARPY COUNTY INDUSTRIAL PARK  
REPLAT 3

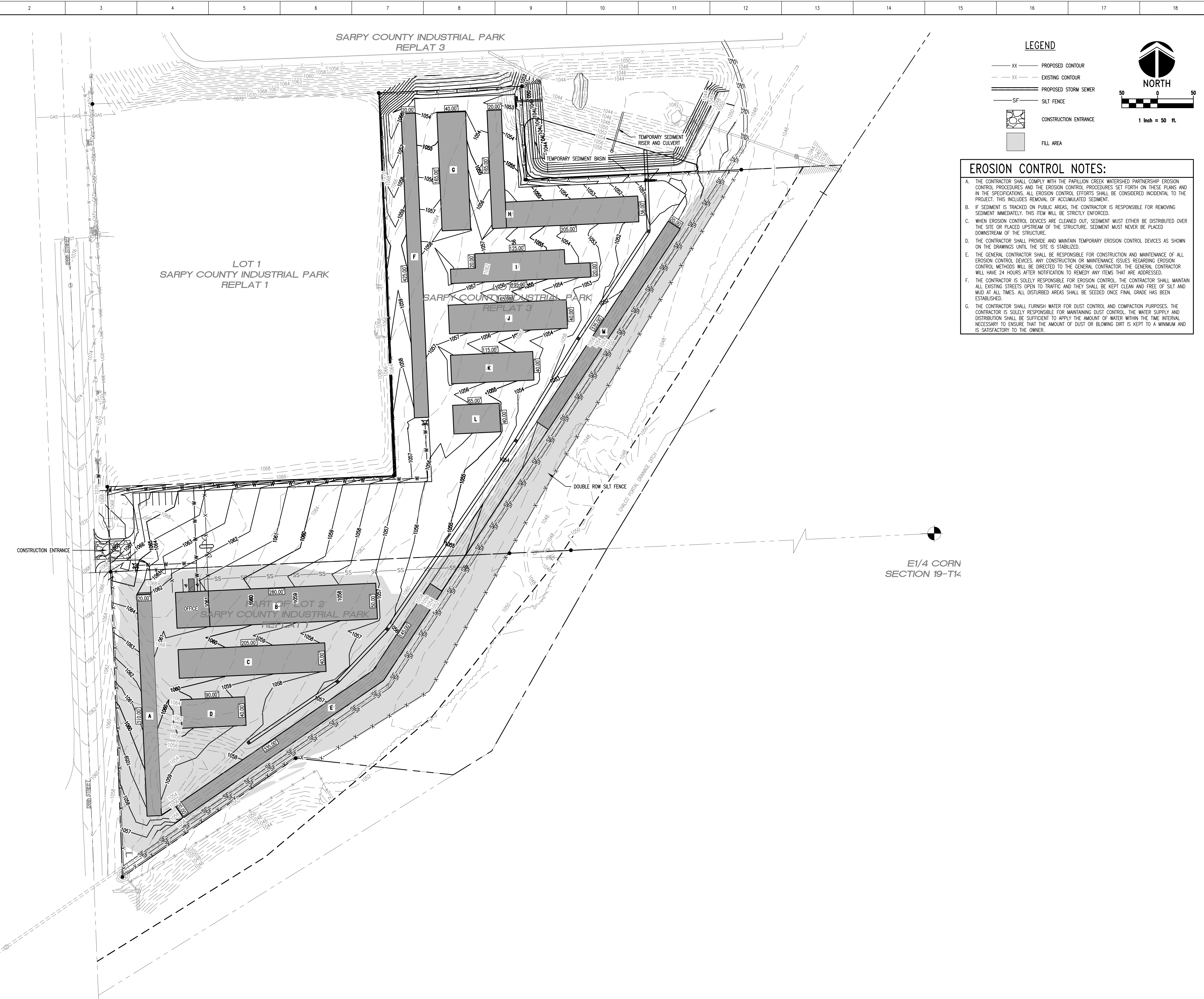
LEGEND

- XX PROPOSED CONTOUR
- XX EXISTING CONTOUR
- PROPOSED STORM SEWER
- SF SILT FENCE
- [Symbol] CONSTRUCTION ENTRANCE
- [Symbol] FILL AREA



EROSION CONTROL NOTES:

- A. THE CONTRACTOR SHALL COMPLY WITH THE PAPILLION CREEK WATERSHED PARTNERSHIP EROSION CONTROL PROCEDURES AND THE EROSION CONTROL PROCEDURES SET FORTH ON THESE PLANS AND IN THE SPECIFICATIONS. ALL EROSION CONTROL EFFORTS SHALL BE CONSIDERED INCIDENTAL TO THE PROJECT. THIS INCLUDES REMOVAL OF ACCUMULATED SEDIMENT.
- B. IF SEDIMENT IS TRACKED ON PUBLIC AREAS, THE CONTRACTOR IS RESPONSIBLE FOR REMOVING SEDIMENT IMMEDIATELY. THIS ITEM WILL BE STRICTLY ENFORCED.
- C. WHEN EROSION CONTROL DEVICES ARE CLEANED OUT, SEDIMENT MUST EITHER BE DISTRIBUTED OVER THE SITE OR PLACED UPSTREAM OF THE STRUCTURE. SEDIMENT MUST NEVER BE PLACED DOWNSTREAM OF THE STRUCTURE.
- D. THE CONTRACTOR SHALL PROVIDE AND MAINTAIN TEMPORARY EROSION CONTROL DEVICES AS SHOWN ON THE DRAWINGS UNTIL THE SITE IS STABILIZED.
- E. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR CONSTRUCTION AND MAINTENANCE OF ALL EROSION CONTROL DEVICES. ANY CONSTRUCTION OR MAINTENANCE ISSUES REGARDING EROSION CONTROL METHODS WILL BE DIRECTED TO THE GENERAL CONTRACTOR. THE GENERAL CONTRACTOR WILL HAVE 24 HOURS AFTER NOTIFICATION TO REMEDY ANY ITEMS THAT ARE ADDRESSED.
- F. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR EROSION CONTROL. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING STREETS OPEN TO TRAFFIC AND THEY SHALL BE KEPT CLEAN AND FREE OF SILT AND MUD AT ALL TIMES. ALL DISTURBED AREAS SHALL BE SEEDED ONCE FINAL GRADE HAS BEEN ESTABLISHED.
- G. THE CONTRACTOR SHALL FURNISH WATER FOR DUST CONTROL AND COMPACTION PURPOSES. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR MAINTAINING DUST CONTROL. THE WATER SUPPLY AND DISTRIBUTION SHALL BE SUFFICIENT TO APPLY THE AMOUNT OF WATER WITHIN THE TIME INTERVAL NECESSARY TO ENSURE THAT THE AMOUNT OF DUST OR BLOWING DIRT IS KEPT TO A MINIMUM AND IS SATISFACTORY TO THE OWNER.



E1/4 CORN  
SECTION 19-T14

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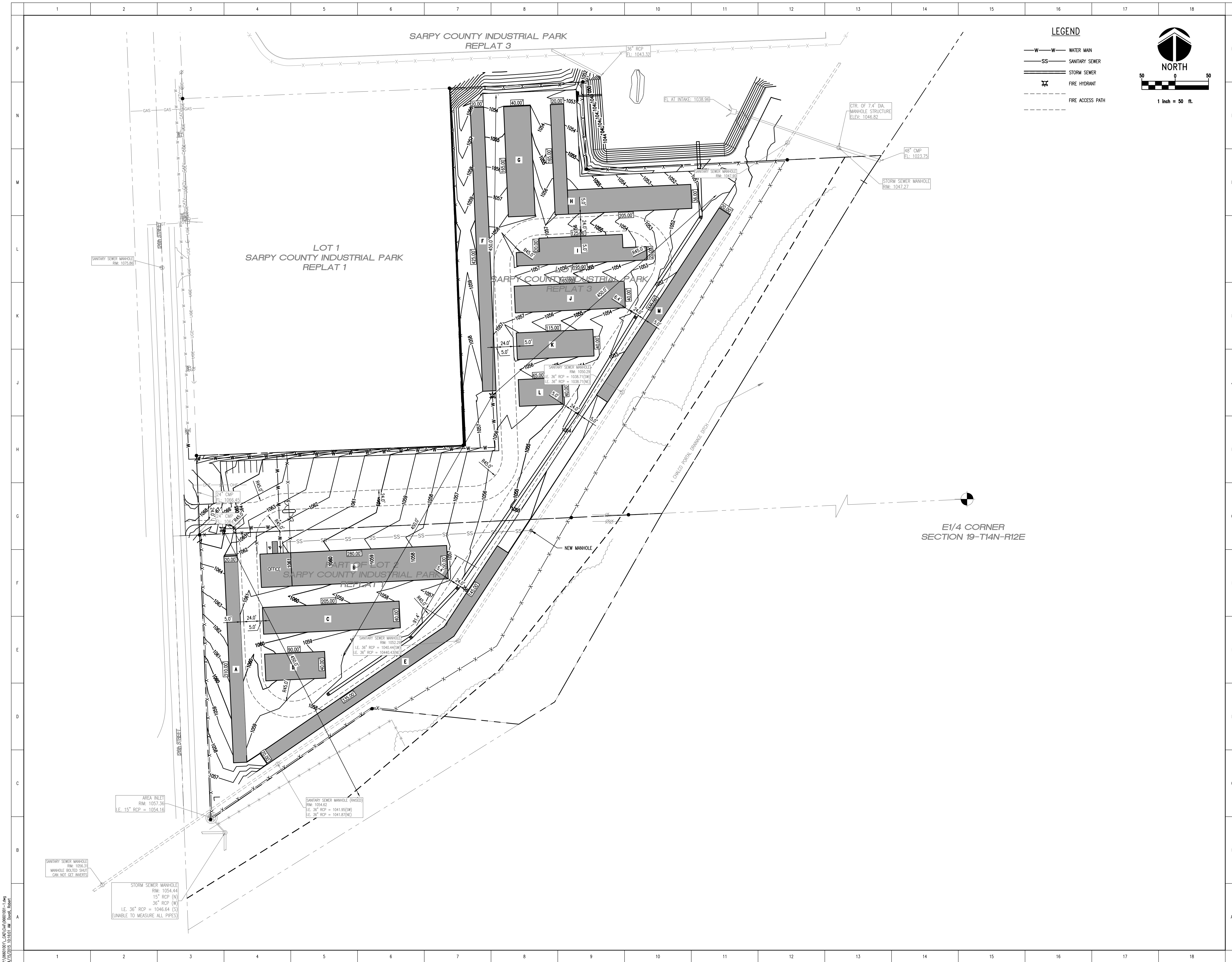
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SARPY COUNTY INDUSTRIAL PARK REPLAT 3  
LOTS 1 AND 2  
PRELIMINARY PLAT  
LA VISTA, NEBRASKA  
SEDIMENT & EROSION CONTROL PLAN

PROJECT NO.: 06601.001

C1-03

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SARPY COUNTY INDUSTRIAL PARK REPLAT 3  
LOTS 1 AND 2  
PRELIMINARY PLAT  
LA VISTA, NEBRASKA  
SITE UTILITY PLAN

PROJECT NO.: 06601.001

**C1-04**

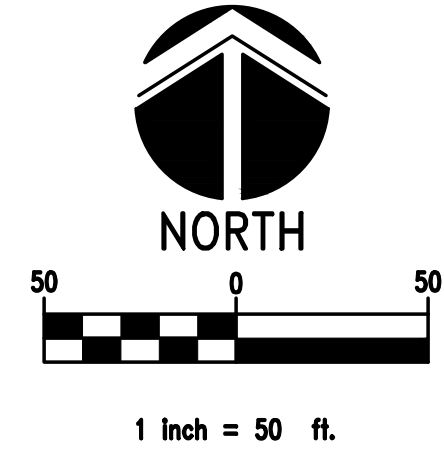
SARPY COUNTY INDUSTRIAL PARK  
REPLAT 3

LOT 1  
SARPY COUNTY INDUSTRIAL PARK  
REPLAT 1

SARPY COUNTY INDUSTRIAL PARK  
REPLAT 3

LEGEND

- XX — PROPOSED CONTOUR
- - - - EXISTING CONTOUR
- — — — PROPOSED STORM SEWER
- FILL AREA



- PCSPM NOTES:**
- A. THE OWNER SHALL CONTROL LITTER. THIS SHALL BE DONE BY HAVING THE ADEQUATE NUMBER OF TRASH RECEPTACLES LOCATED ON SITE. THE RECEPTACLES SHALL BE EMPTIED REGULARLY OR WHEN FULL. TRASH DUMPSTERS SHALL HAVE COVERS ON THEM AND THE COVERS SHALL REMAIN CLOSED.
  - B. STREETS, PARKING LOT, AND SIDEWALK SHALL BE SWEEPED WHEN DIRT OR DUST BECOMES PRESENT. POWER WASHING OR HOSING OFF WILL NOT BE ALLOWED.
  - C. ALL INLETS IN THE PAVEMENT AREAS SHALL HAVE LABELS STATING, "NO DUMPING - DRAINS TO LIVE STREAM".
  - D. PERIMETER OF SITE WILL BE OBSERVED REGULARLY TO PICK UP ANY LITTER ON OWNER'S PROPERTY.

**BMP CALCULATIONS**

BMP ID #	TYPE	DRAINAGE AREA (AC)	WQCV (cft) or Equivalent Treatment Flow Rate (cfs)
EDDP-2	EXISTING EXTENDED DRY DETENTION POND	20.45*	44,540 cft*

\* AREAS AND VOLUMES INCLUDE DRAINAGE FROM LOT 1, REPLAT 3.

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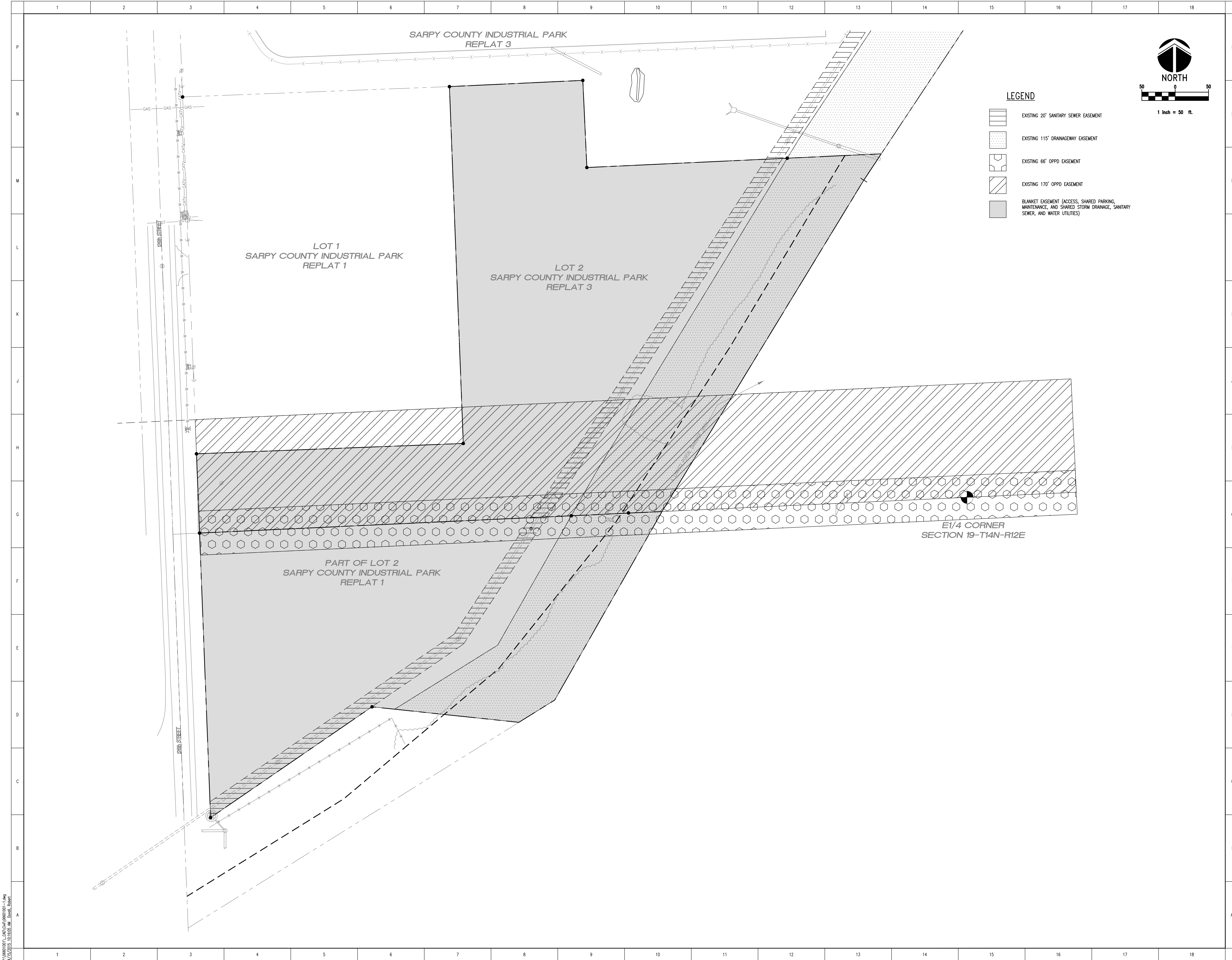
SARPY COUNTY INDUSTRIAL PARK REPLAT 3  
LOTS 1 AND 2  
PRELIMINARY PLAT  
LA VISTA, NEBRASKA

POST CONSTRUCTION STORMWATER  
MANAGEMENT PLAN

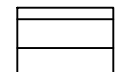
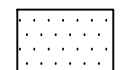
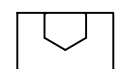
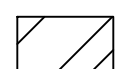

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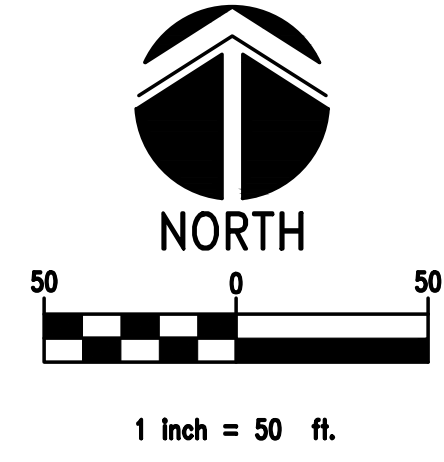
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**LEGEND**

-  EXISTING 20' SANITARY SEWER EASEMENT
-  EXISTING 115' DRAINAGEWAY EASEMENT
-  EXISTING 66' OPPD EASEMENT
-  EXISTING 170' OPPD EASEMENT
-  BLANKET EASEMENT (ACCESS, SHARED PARKING, MAINTENANCE, AND SHARED STORM DRAINAGE, SANITARY SEWER, AND WATER UTILITIES)



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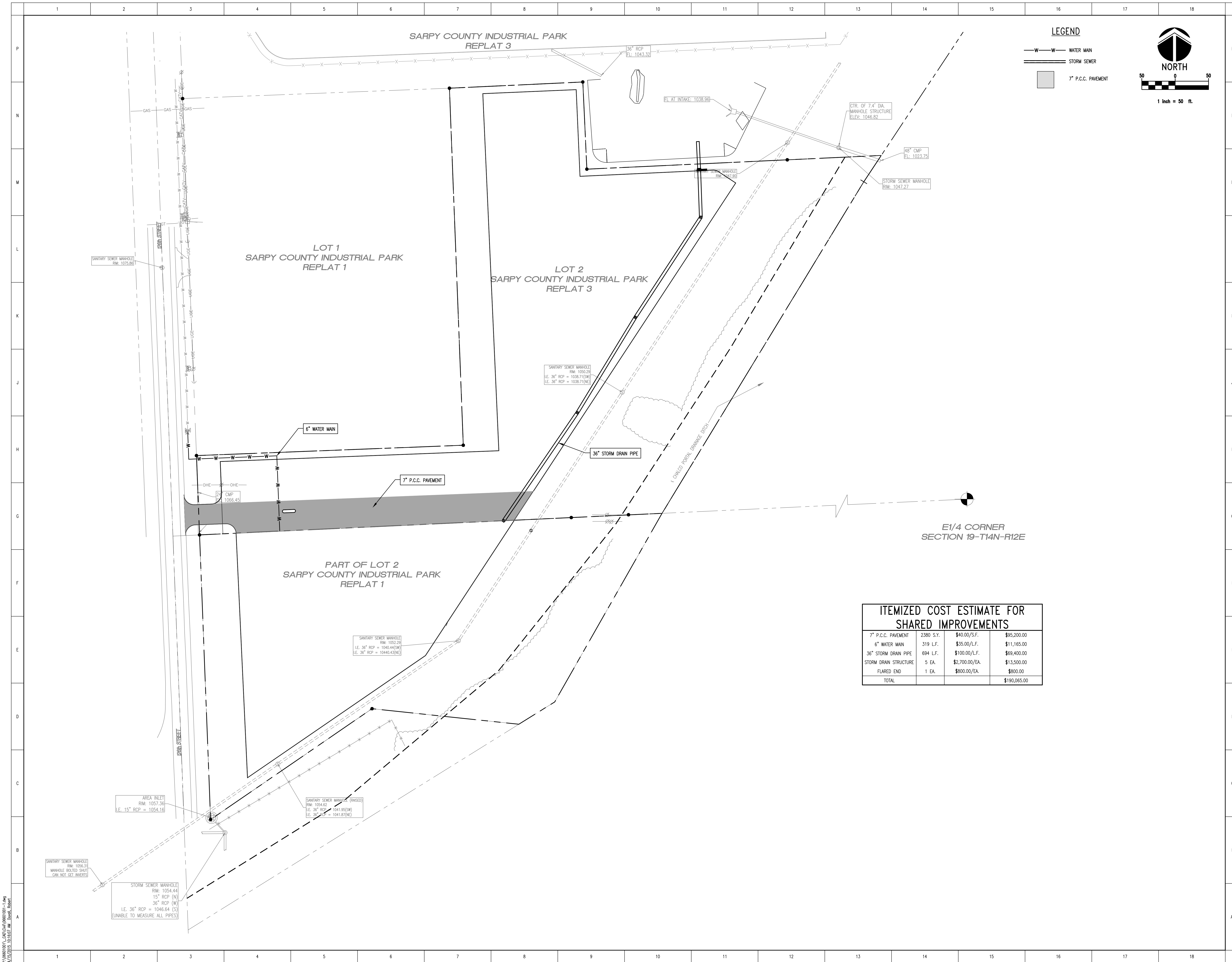
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SARPY COUNTY INDUSTRIAL PARK REPLAT 3  
LOTS 1 AND 2  
PRELIMINARY PLAT  
LA VISTA, NEBRASKA  
EASEMENT PLAN

PROJECT NO.: 06601.001

C1-06

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SARPY COUNTY INDUSTRIAL PARK REPLAT 3  
 LOTS 1 AND 2  
 PRELIMINARY PLAT  
 LA VISTA, NEBRASKA  
 SHARED IMPROVEMENTS PLAN

PROJECT NO.: 06601.001

**C1-07**

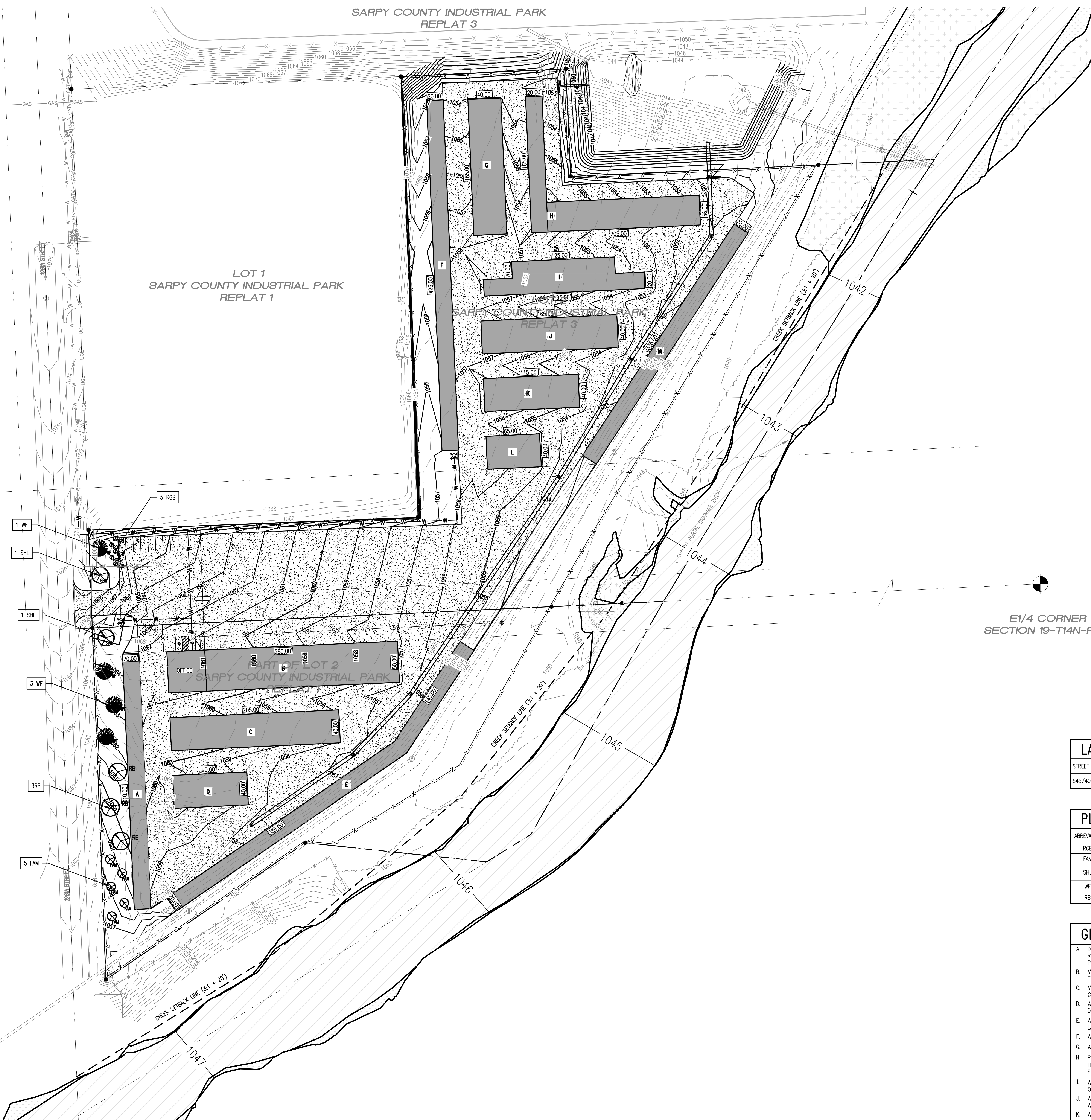


SARPY COUNTY INDUSTRIAL PARK  
REPLAT 3

LOT 1  
SARPY COUNTY INDUSTRIAL PARK  
REPLAT 1

1 inch = 50 ft.

- ZONE AE FLOODPLAIN
- ZONE AE FLOODWAY
- ZONE X
- PROPOSED SELF-STORAGE BUILDING



E1/4 CORNER  
SECTION 19-T14N-R12E

LANDSCAPING CALCUATIONS	
STREET FRONTAGE =	545 L.F.
545/40 =	13.6 (14 TOTAL TREES REQUIRED IN STREET YARD)

PLANT SCHEDULE			
ABBREVIATION	COMMON NAME	SCIENTIFIC NAME	SIZE
RGB	ROSE GLOW BARBERRY	BARBERIS THUNDERBOL 'ROSE GLOW'	36" POT
FAM	FLAME AMUR MAPLE	ACER GINNALA 'FLAME'	2" CAL.
SHL	SHADEMASTER HONEYLOCUST	GLEDITSIA TRIACANTHOS INERMIS 'SHADEMASTER'	2" CAL.
WF	WHITE FIR	ABIES CONCOLOR	6' B&B
RB	RIVER BIRCH	BETULA NIGRA	2" CAL.

- GENERAL LANDSCAPING NOTES:**
- A. DO NOT BEGIN WORK UNTIL ALL REQUIRED PERMITS ARE IN HAND AND APPROVED DRAWINGS REFLECTING THE REQUIREMENTS OF THE PERMITS ARE PHYSICALLY ON THE JOB SITE. REQUIRED PERMITS SHALL INCLUDE BUT NOT BE LIMITED TO THE LANDSCAPE PERMIT.
  - B. VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO STARTING CONSTRUCTION AND IMMEDIATELY NOTIFY THE LANDSCAPE ARCHITECT OF ANY DISCREPANCIES.
  - C. VERIFY LOCATION OF ALL UTILITIES INCLUDING SANITARY AND STORM SEWER PRIOR TO BEGINNING CONSTRUCTION. CARE SHOULD BE TAKEN NOT TO DISTURB UTILITIES DURING CONSTRUCTION.
  - D. ALL WORK PERFORMED ON THIS PROJECT SHALL BE IN CONFORMANCE WITH THE CONTRACT DOCUMENTS AND ALL APPLICABLE CODES, STANDARDS, ORDINANCES, ETC.
  - E. ALL PLANTS TO BE GUARANTEED FOR ONE FULL YEAR AT FULL REPLACEMENT VALUE INCLUDING LABOR.
  - F. ALL DEBRIS FROM CONSTRUCTION SHALL BE LAWFULLY DISPOSED OF OFF SITE.
  - G. ALL PLANTING AREAS MUST BE FREE OF ALL WEEDS AND DEBRIS BEFORE BEGINNING WORK.
  - H. PROVIDE AND INSTALL A LOCALLY AVAILABLE HARDWOOD MULCH IN SHRUB BED. SHAPE EXISTING SOIL LEVELS WITHIN PLANTING BEDS SO THAT THE 3"-4" THICKNESS OF HARDWOOD MULCH DOES NOT EXCEED THE ELEVATION OF THE SIDEWALK, CURB OR VINYL EDGING.
  - I. ALL LANDSCAPE BEDS SHALL BE EDGED WITH A 5" COMMERCIAL GRADE BLACK VINYL EDGING UNLESS OTHERWISE NOTED.
  - J. ALL PLANT MATERIAL SHALL BE OF GOOD QUALITY AND SIZES SHALL MEET REQUIRED SIZES SPECIFIED. ALL PLANTS SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT.
  - K. ALL GRADING AND BERMING SHALL BE COORDINATED WITH THE GENERAL CONTRACTOR.

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SARPY COUNTY INDUSTRIAL PARK REPLAT 3  
LOTS 1 AND 2  
PRELIMINARY PLAN  
LA VISTA, NEBRASKA  
LANDSCAPING PLAN

PROJECT NO.: 06601.001

**C1-08**

**SUBDIVISION AGREEMENT  
SARPY COUNTY INDUSTRIAL PARK REPLAT 3**

This Subdivision Agreement (the “Agreement”) is made this \_\_\_\_\_ day of \_\_\_\_\_, 2015 by and between SGTS, LLC, a Nebraska limited liability company (“Subdivider”), and the CITY OF LA VISTA, NEBRASKA (“City”).

WHEREAS, the Subdivider is the owner of the land shown on the current plat attached hereto as Exhibit “A” (hereinafter referred to as “Property”); and

WHEREAS, a portion of the Property is within the corporate limits of the City and the City’s zoning and platting jurisdiction, and a portion of the Property is located within the corporate limits of the City of Papillion, Nebraska (“Papillion”) and Papillion’s zoning and platting jurisdiction; and

WHEREAS, the portion of the Property which is within the corporate limits of the City is currently platted as Lot 1 Sarpy County Industrial Park Replat 2, a platted and recorded subdivision in Sarpy County, Nebraska (“Lot 1 La Vista”). The portion of the Property located within the corporate limits of the City of Papillion is currently platted as shown on Exhibit “A” as part of Lot 2, Sarpy County Industrial Park Replat 1 (“Lot 2 Papillion”); and,

WHEREAS, a distribution center exists on north part of Lot 1 La Vista. The Subdivider proposes to subdivide and construct on remaining portions of Lot 1 La Vista and on Lot 2 Papillion, a self-service storage facility and related improvements as depicted on Exhibit “B” (“Building”), and to do so requests of the City division of Lot 1 La Vista into two lots, specifically Lots 1 and 2, Sarpy County Industrial Park Replat 3, as depicted in Exhibit “C” (the “Replatted Area”). The Subdivider concurrently is requesting of the City of Papillion reviews and approvals with respect to parts of the Building project proposed for Lot 2 Papillion; and,

WHEREAS, the Subdivider and City desire to agree on various matters related to the proposed Building project, including without limitation, the relationship between the City and the City of Papillion’s concurrent review and approval of certain building permits, easements, post construction water management plans, and the method for the installation and allocation of expenses for improvements to be constructed in the Property, all as set forth in this Agreement.

NOW, THEREFORE, in consideration of the above the following is agreed among the parties hereto:

1. Improvements. Subdivider shall construct the Building on the Property as shown on Exhibit B, all in accordance with the rules, regulations and permitting requirements of the City or Papillion, as applicable. By entering into this Agreement, Subdivider acknowledges that it shall be required to obtain concurrent review and approval of any building permits and other requirements of the City of Papillion, as applicable.
2. Payment for Private Shared Infrastructure. The Subdivider shall pay the entire cost of all private infrastructure which shall be placed on the Property to support construction of the Building and commercial use of the Property (collectively, the “Improvements”), and the City shall not pay for any costs associated with such Improvements. Prior to recording of

the proposed plat shown on Exhibit “C”, as finally approved by the City, the Subdivider, in addition to any other bonds required by Nebraska law, will present to the City for the benefit of the City binding performance bonds in an amount of 110% of the total estimated costs of the private shared infrastructure Improvements to be constructed or otherwise made by the Subdivider, as set forth on Exhibit “D”. Said bonds shall be written by a surety and in form and content satisfactory to the City Engineer, include a two-year warranty period, and by their terms be enforceable by the City.

3. Maintenance of Improvements. Subdivider shall maintain the Improvements after construction of the same by Subdivider, all in accordance with the rules, regulations and requirements of the City and Papillion, as applicable.
4. Right to connect to City sewer system. The City acknowledges that \_\_\_\_\_ and the City previously entered into a sewer connection agreement applicable to the Property dated \_\_\_\_\_ (“Sewer Connection Agreement”), which Sewer Connection Agreement shall be incorporated into this Agreement and shall be binding on the Subdivider, Lot 2 of the Replatted Area, and any private sanitary sewer on said Lot 2 to the same extent as if fully set forth in this Agreement, and such prior sewer connection agreement and the provisions of this section 4 shall fulfill the obligation of the Subdivider to obtain a sewer connection agreement for Lot 2 of the Replatted Area.
5. Sewer Connection Fee. The City acknowledges that Subdivider (or its predecessor) previously paid a sewer connection fee to the City for the proposed Lot 2 of the Replatted Area, and no additional fee shall be required from Subdivider to the City for the proposed Lot 2.
6. Watershed Management Fee. The Subdivider shall make payment to the City for Watershed Management Fees. The City will collect this fee and remit it to the Papillion Creek Watershed Partnership. This fee is computed as follows for Lot 2, Sarpy County Industrial Park Replat 3 on which new development or significant redevelopment is to occur:

Lot 2: 7.27 acres @ \$4,387.00 per acre = \$31,893.49

The fee stated in this section above is calculated at the rate currently in effect and is subject to increase. The rate in effect at the time of issuance of the building permit for the Building will be the rate actually used for calculating the fee and payment. Payment shall be made to the City prior to receiving a building permit to construct improvements on any portion of Lot 2..

7. Floodplain/Floodway. Location and components of the Building in relation to existing floodplain and floodway, and compliance with applicable stormwater management policies, including without limitation, the Papillion Creek Watershed Stormwater Management Policies - Policy Group #5 for Floodplain Management, shall be demonstrated by the Subdivider and subject to review and approval to the satisfaction of the City Engineer and Papillion. By entering into this Agreement, the City acknowledges

that Papillion, subject to approval of the City Engineer, may review and approve the post-construction stormwater management plan and grading permit on behalf of the City since both municipalities utilize the same standards.

8. Drainage Calculations and Map. Subdivider, prior to the City's execution and delivery of the final plat to the Subdivider, shall provide drainage calculations and a drainage map for the Replatted Area for review and approval by the City Engineer setting forth easements required to convey major storm sewer events (hundred year flood) over the surface of the Property, which easements Subdivider shall provide in the plat or other instruments, in form and content satisfactory to the City Engineer.
9. Easements. All easements required by the Subdivider, City, or any other party, for existing, proposed, or relocated public or private or shared improvements, including without limitation, sewers, utilities, roads or other infrastructure or improvements, shall be granted by the final plat or by other separate instruments, in form and content satisfactory to the City Engineer ("Easements"). The proposed Easements are set forth on Exhibit "E" attached hereto. Release of the final plat for recording shall be conditioned on execution, delivery and recording of said Easements with the final plat. Copies of recorded Easements shall be provided to the City.
10. Infrastructure and Easements at Private Expense. The cost of all infrastructure, Improvements and Easements within and serving the Replatted Area shall be constructed, maintained and provided at private expense and the sole cost and expense of Subdivider and any successor or assign of Subdivider, and no part thereof shall be the responsibility or expense of City.
11. Binding effect. This Agreement shall be binding upon the parties, their respective successors, and assigns. This Agreement shall be subject to the terms and conditions of the conditional use permit as attached hereto as Exhibit "F," and further subject to Subdivider obtaining all required approvals of the City and City of Papillion. In the event of any conflict, inconsistency or ambiguity in or among any documents, instruments, rules, regulations, or requirements of the City and the City of Papillion, the more stringent rule, regulation, requirement or interpretation will apply
12. Right to Enforce. Provisions of this Agreement may be enforced at law or in equity by the owners of land within the Property (including the Replatted Area) and may be enforced by the City at law, in equity or such other remedy as City determines appropriate. All rights and remedies of a party, whether specified in this Agreement or otherwise provided, are cumulative.
13. Incorporation by Reference. Recitals at the beginning of this Agreement, and all exhibits, documents or instruments referenced in this Agreement, are incorporated into this Agreement by reference.
14. Nondiscrimination. Notwithstanding anything in this Agreement to the contrary, (i) each party agrees that neither it nor any subcontractor of the party shall discriminate against any employee or applicant for employment to be employed in the performance if this

Agreement, with respect to the employee's or applicant's hire, tenure, terms, conditions or privileges of employment, because of race, color, religion, age, sex, disability, or national origin; and (ii) the City is a recipient of federal funds, and as a result all required contractual provisions related to such federal funds shall be deemed incorporated into this Agreement by this reference and binding upon the parties.

15. Assignment. This Agreement may not be assigned by any party without the express written consent of all parties.
16. Entire Agreement. This Agreement represents the entire agreement and understanding, and supersedes all prior understandings and agreements, written or oral, of the parties with respect to the matters contained herein. The Agreement only may be amended by a written amendment executed by all parties.
17. Severability. If any part of this Agreement is held by a court of competent jurisdiction to be illegal or unenforceable, the illegality or unenforceability shall not affect the remainder of this Agreement, and this Agreement shall be construed as if such illegal or unenforceable provision had never been included herein.
18. Filing of Record. The Subdivider, at its expense when recording the final plat and Easements, shall record this Agreement in the land records of the Office of the Register of Deeds of Sarpy and shall cause a recorded copy thereof to be transmitted to the City Administrator.
19. Agreements Herein Constitute Covenants Running with Land. This Agreement and the agreements and understandings contained or incorporated herein constitute covenants running with the land and shall be binding upon the Subdivider and all of Subdivider's successors, heirs, assigns, lenders, mortgagees and others gaining or claiming an interest or lien in or against Subdivider or any property within the Replatted Area. This Agreement shall be subject to approval of the governing body of the City and cannot be changed without approval of said governing body and a written amendment executed by proper officials of the City. The covenants herein shall be cumulative to, and not in lieu of, prior covenants running with the land, except to the extent modified by this Agreement. City has the right, but not the obligation, to enforce any and all covenants.

**[The remainder of this page intentionally left blank; signature page follows]**



ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2015, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared Douglas Kindig and Pamela A. Buethe, 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

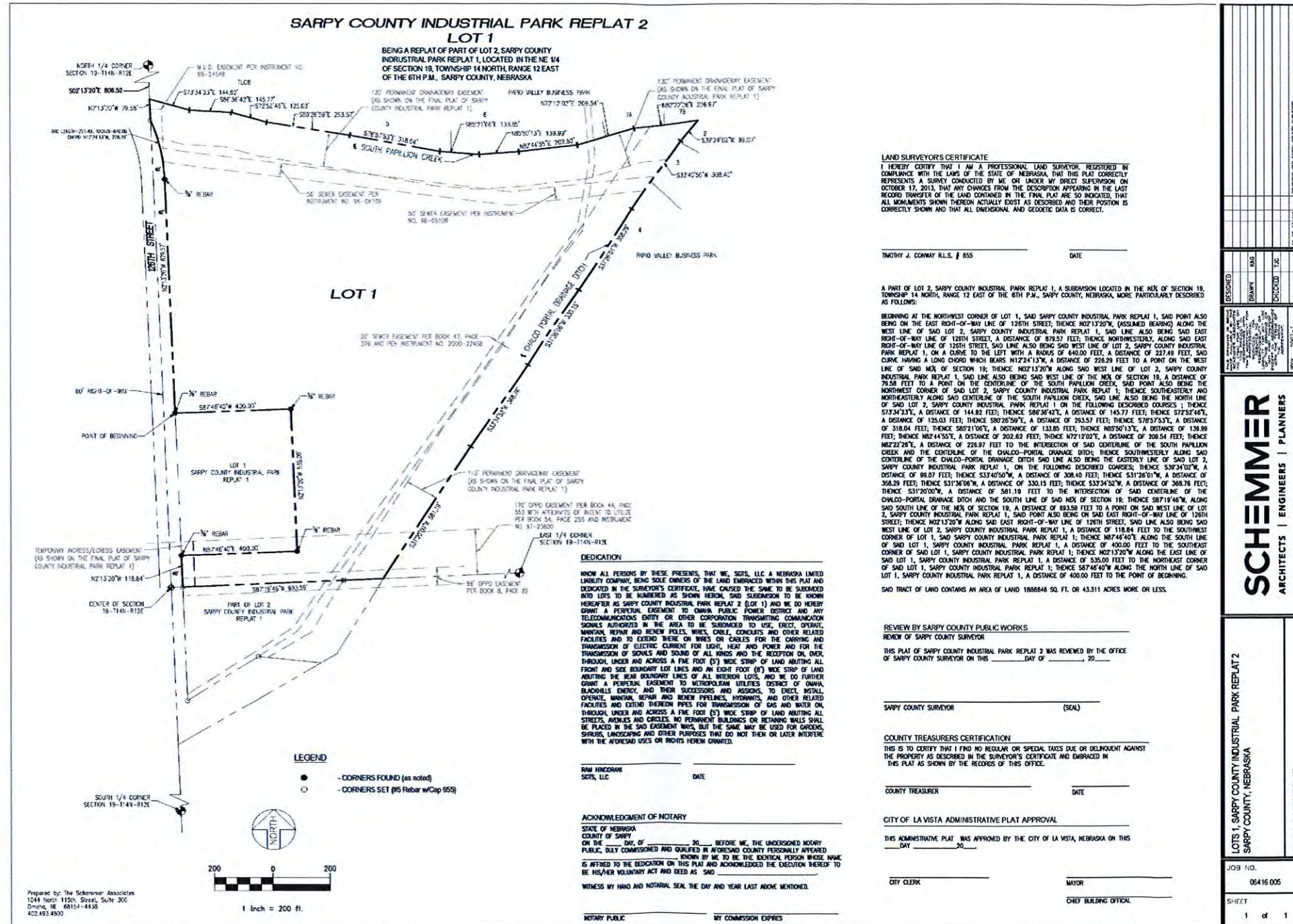
STATE OF NEBRASKA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2015, 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 SGTS, LLC, 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"

## Property

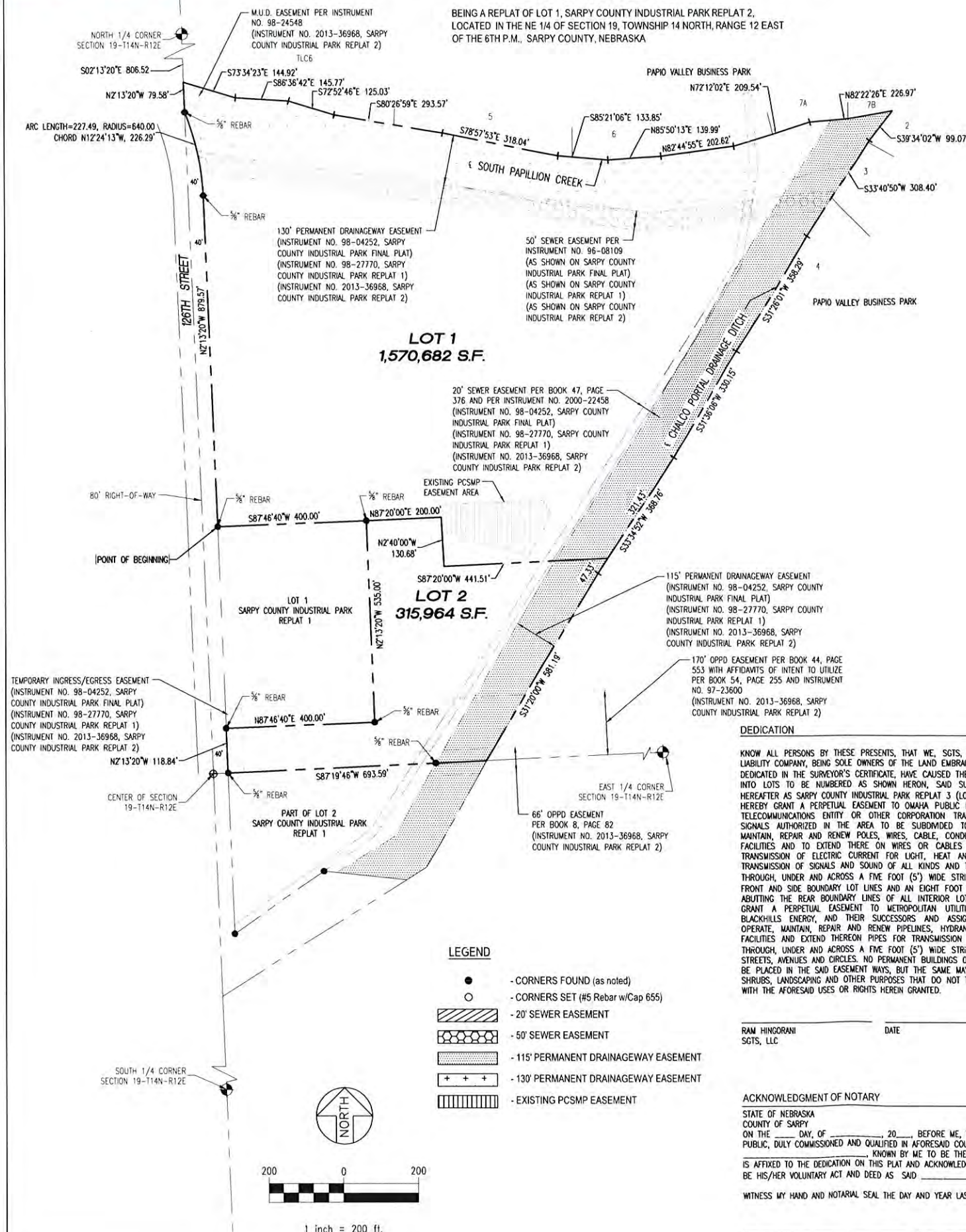




# EXHIBIT B

## SARPY COUNTY INDUSTRIAL PARK REPLAT 3 LOTS 1 AND 2

BEING A REPLAT OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2,  
LOCATED IN THE NE 1/4 OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 12 EAST  
OF THE 6TH P.M., SARPY COUNTY, NEBRASKA



**LAND SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED IN COMPLIANCE WITH THE LAWS OF THE STATE OF NEBRASKA, AND THAT THIS PLAT MEETS OR EXCEEDS THE "MINIMUM STANDARDS FOR SURVEYS" ADOPTED BY THE NEBRASKA STATE BOARD OF EXAMINERS FOR LAND SURVEYORS. FURTHER, I HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF THE SUBDIVISION DESCRIBED HEREON AND THAT PERMANENT MARKERS WILL BE SET (OR HAVE BEEN SET) AT ALL LOT CORNERS, ANGLE POINTS AND AT THE ENDS OF ALL CURVES WITHIN THE SUBDIVISION TO BE KNOWN AS SARPY COUNTY INDUSTRIAL PARK REPLAT 3, BEING A REPLATING OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2. DESCRIBED AS FOLLOWS:

LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, A SUBDIVISION LOCATED IN THE NE 1/4 OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, SAID SARPY COUNTY INDUSTRIAL PARK REPLAT 1, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF 126TH STREET; THENCE N02°13'20"W, (ASSUMED BEARING) ALONG THE WEST LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, SAID LINE ALSO BEING SAID EAST RIGHT-OF-WAY LINE OF 126TH STREET, A DISTANCE OF 879.57 FEET; THENCE NORTHWESTERLY, ALONG SAID EAST RIGHT-OF-WAY LINE OF 126TH STREET, SAID LINE ALSO BEING SAID WEST LINE OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, ON A CURVE TO THE LEFT WITH A RADIUS OF 640.00 FEET, A DISTANCE OF 227.49 FEET; SAID CURVE HAVING A LONG CHORD WHICH BEARS N12°24'13"W, A DISTANCE OF 226.29 FEET TO A POINT ON THE WEST LINE OF SAID NE 1/4 OF SECTION 19; THENCE N02°13'20"W ALONG SAID WEST LINE OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, SAID LINE ALSO BEING THE CENTERLINE OF THE SOUTH PAPIILLION CREEK, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2; THENCE S08°26'59"E, A DISTANCE OF 293.57 FEET; THENCE S78°57'53"E, A DISTANCE OF 318.04 FEET; THENCE S85°21'06"E, A DISTANCE OF 133.85 FEET; THENCE N85°50'13"E, A DISTANCE OF 139.99 FEET; THENCE N82°44'55"E, A DISTANCE OF 202.62 FEET; THENCE N72°12'02"E, A DISTANCE OF 209.54 FEET; THENCE N82°22'26"E, A DISTANCE OF 226.97 FEET TO THE INTERSECTION OF SAID CENTERLINE OF THE SOUTH PAPIILLION CREEK AND THE CENTERLINE OF THE CHALCO-PORTAL DRAINAGE DITCH; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE OF THE CHALCO-PORTAL DRAINAGE DITCH SAID LINE ALSO BEING THE EASTERLY LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, ON THE FOLLOWING DESCRIBED COURSES; THENCE S39°34'02"W, A DISTANCE OF 99.07 FEET; THENCE S33°40'50"W, A DISTANCE OF 308.40 FEET; THENCE S31°26'01"W, A DISTANCE OF 358.29 FEET; THENCE S31°36'06"W, A DISTANCE OF 330.15 FEET; THENCE S33°34'52"W, A DISTANCE OF 368.76 FEET; THENCE S31°20'00"W, A DISTANCE OF 581.19 FEET TO THE INTERSECTION OF SAID CENTERLINE OF THE CHALCO-PORTAL DRAINAGE DITCH AND THE SOUTH LINE OF SAID NE 1/4 OF SECTION 19; THENCE S87°19'46"W, ALONG SAID SOUTH LINE OF THE NE 1/4 OF SECTION 19, A DISTANCE OF 693.59 FEET TO A POINT ON SAID WEST LINE OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, SAID POINT ALSO BEING ON SAID EAST RIGHT-OF-WAY LINE OF 126TH STREET; THENCE N02°13'20"W ALONG SAID EAST RIGHT-OF-WAY LINE OF 126TH STREET, SAID LINE ALSO BEING SAID WEST LINE OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, A DISTANCE OF 118.84 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1; THENCE N87°46'40"E ALONG THE SOUTH LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1, A DISTANCE OF 400.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1; THENCE N02°13'20"W ALONG THE EAST LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1, A DISTANCE OF 535.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1; THENCE S87°46'40"W ALONG THE NORTH LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1, A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF LAND 1,886,846 SQ. FT. OR 43.311 ACRES MORE OR LESS.

TIMOTHY J. CONWAY R.L.S. # 655 DATE

REVIEW BY SARPY COUNTY PUBLIC WORKS  
REVIEW OF SARPY COUNTY SURVEYOR

THIS PLAT OF SARPY COUNTY INDUSTRIAL PARK REPLAT 3 WAS REVIEWED BY THE OFFICE OF SARPY COUNTY SURVEYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

SARPY COUNTY SURVEYOR (SEAL)

COUNTY TREASURERS CERTIFICATION

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY AS DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED IN THIS PLAT AS SHOWN BY THE RECORDS OF THIS OFFICE.

COUNTY TREASURER DATE

ACCEPTANCE BY LA VISTA CITY COUNCIL

THIS PLAT OF SARPY COUNTY INDUSTRIAL PARK REPLAT 3 (LOTS NUMBERED AS SHOWN) WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ON THIS \_\_\_\_\_ DAY \_\_\_\_\_, 20\_\_.

ATTEST  
CITY CLERK MAYOR

APPROVAL OF LA VISTA CITY PLANNING COMMISSION

THIS PLAT OF SARPY COUNTY INDUSTRIAL PARK REPLAT 3 (LOTS NUMBERED AS SHOWN) WAS APPROVED BY THE CITY PLANNING COMMISSION ON THIS \_\_\_\_\_ DAY \_\_\_\_\_, 20\_\_.

CHAIRMAN OF LA VISTA CITY PLANNING COMMISSION

APPROVAL OF SARPY COUNTY REGISTRAR OF DEEDS

RECORDED ON THIS \_\_\_\_\_ DAY \_\_\_\_\_, 20\_\_.

SARPY COUNTY REGISTRAR OF DEEDS DATE

**DEDICATION**

KNOW ALL PERSONS BY THESE PRESENTS, THAT WE, SGTS, LLC A NEBRASKA LIMITED LIABILITY COMPANY, BEING SOLE OWNERS OF THE LAND EMBRACED WITHIN THIS PLAT AND DEDICATED IN THE SURVEYOR'S CERTIFICATE, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS TO BE NUMBERED AS SHOWN HEREON, SAID SUBDIVISION TO BE KNOWN HEREAFTER AS SARPY COUNTY INDUSTRIAL PARK REPLAT 3 (LOTS 1 AND 2) AND WE DO HEREBY GRANT A PERPETUAL EASEMENT TO OMAHA PUBLIC POWER DISTRICT AND ANY TELECOMMUNICATIONS ENTITY OR OTHER CORPORATION TRANSMITTING COMMUNICATION SIGNALS AUTHORIZED IN THE AREA TO BE SUBDIVIDED TO USE, ERECT, OPERATE, MAINTAIN, REPAIR AND RENEW POLES, WIRES, CABLE, 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 AND FOR THE TRANSMISSION OF SIGNALS AND SOUND OF ALL KINDS AND THE RECEPTION ON, OVER, THROUGH, UNDER AND ACROSS A FIVE FOOT (5') WIDE STRIP OF LAND ABUTTING ALL FRONT AND SIDE BOUNDARY LOT LINES AND AN EIGHT FOOT (8') WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL INTERIOR LOTS, AND WE DO FURTHER GRANT A PERPETUAL EASEMENT TO METROPOLITAN UTILITIES DISTRICT OF OMAHA, BLACKHILLS ENERGY, AND THEIR SUCCESSORS AND ASSIGNS, TO ERECT, INSTALL, OPERATE, MAINTAIN, REPAIR AND RENEW PIPELINES, HYDRANTS, AND OTHER RELATED FACILITIES AND EXTEND THEREON PIPES FOR TRANSMISSION OF GAS AND WATER ON, THROUGH, UNDER AND ACROSS A FIVE FOOT (5') WIDE STRIP OF LAND ABUTTING ALL STREETS, AVENUES AND CIRCLES. NO PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE PLACED IN THE SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREIN GRANTED.

RAM HINGORANI DATE  
SGTS, LLC

**ACKNOWLEDGMENT OF NOTARY**

STATE OF NEBRASKA  
COUNTY OF SARPY

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AFORESAID COUNTY PERSONALLY APPEARED \_\_\_\_\_ KNOWN BY ME TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE DEDICATION ON THIS PLAT AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS/HER VOLUNTARY ACT AND DEED AS SAID \_\_\_\_\_

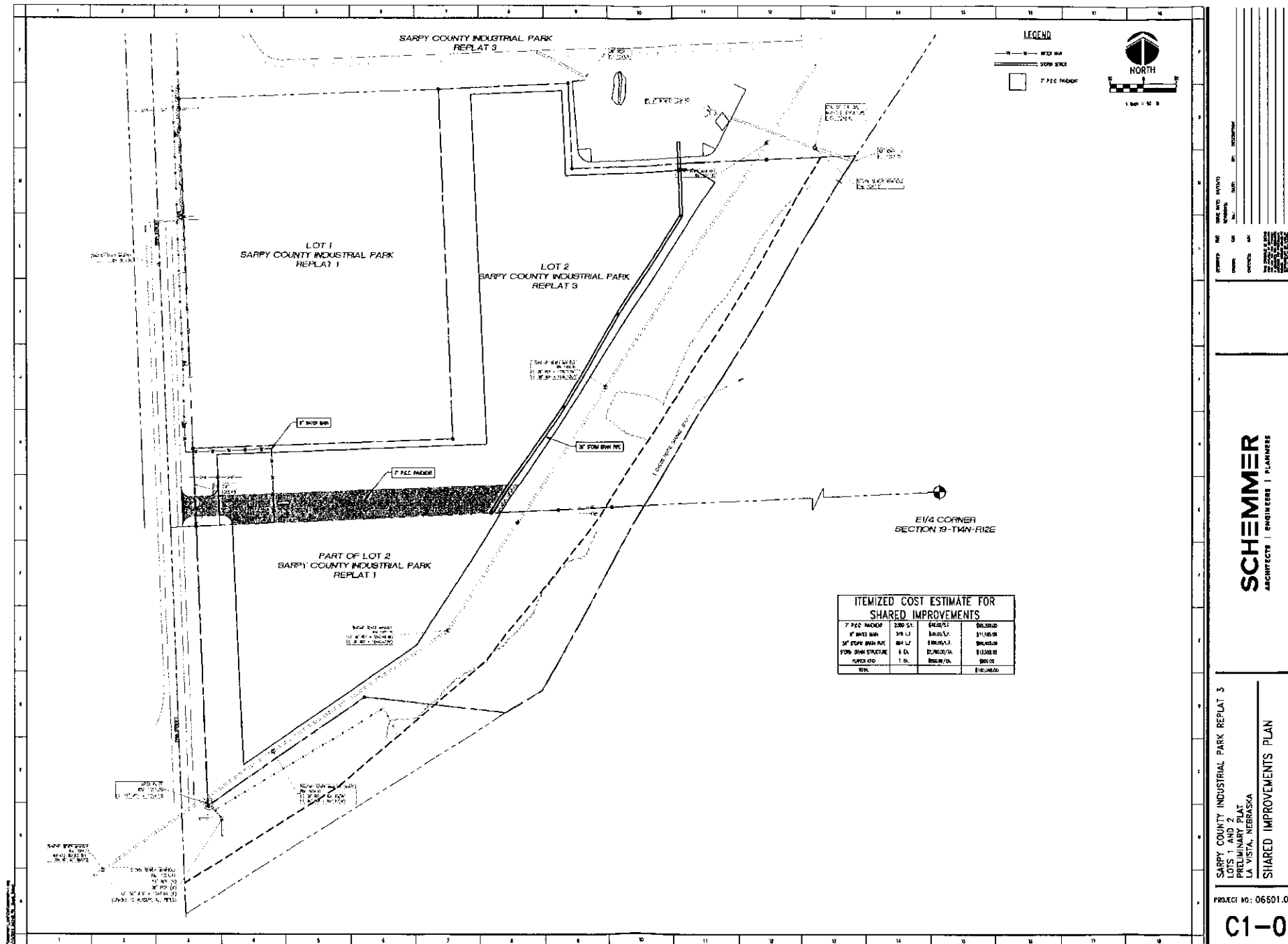
WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND YEAR LAST ABOVE MENTIONED.

NOTARY PUBLIC MY COMMISSION EXPIRES

DESIGNED	ASB	BY	DATE
DRAWN	ASB	BY	DATE
CHECKED	TJC	BY	DATE
CITY OF LA VISTA COMMENTS, DATED 2-9-15 SIGNATURE BLOCKS BOOK 2007-1 DATE 12-29-14			
<h1 style="font-size: 2em;">SCHEMMER</h1> ARCHITECTS   ENGINEERS   PLANNERS			
SARPY COUNTY INDUSTRIAL PARK REPLAT 3 LOTS 1 AND 2 SARPY COUNTY, NEBRASKA FINAL PLAT			
JOB NO. 06416.005			
SHEET 1 of 1			

# EXHIBIT "C"

## Shared Improvements



NO.	DATE	BY	DESCRIPTION
1			
2			
3			
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**SCHEMMER**  
ARCHITECTS | ENGINEERS | PLANNERS

SARPY COUNTY INDUSTRIAL PARK REPLAT 3  
LOTS 1 AND 2  
PRELIMINARY PLAN  
LA VISTA, NEBRASKA  
SHARED IMPROVEMENTS PLAN

PROJECT NO: 06501.001

C1-07

EXHIBIT "D"

Easement

## DECLARATION OF EASEMENT

THIS DECLARATION OF EASEMENT is made this \_\_\_\_ day of April, 2015, by SGTS, LLC, a Nebraska limited liability company ("Declarant").

WHEREAS, Declarant is the owner of (i) Lot 2, Sarpy County Industrial Park Replat 3 ("La Vista Lot 2"), and (ii) Part of Lot 2, Sarpy County Industrial Replat 1 ("Papillion Lot 2"), each subject to all easements, reservations, covenants and restrictions of record (collectively, the "Lots"), and all as shown on Exhibit "A" attached hereto;

WHEREAS, for the purposes of protecting the value and desirability of the Lots and other reasons, Declarant desires through execution of this instrument to reserve certain rights and impose certain obligations respecting the Lots on the present and future owners of the fee simple title to the Lots.

NOW, THEREFORE, Declarant hereby declares that the Lots shall be held, sold and conveyed subject to the following easements, covenants and restrictions which shall run with the Lots and shall be binding on all parties having any right, title and interest in any of the Lots or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof:

1. Definitions. For purposes of this instrument, "La Vista Owner" shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to La Vista Lot 2, but excluding those having such interest merely as security for the performance of an obligation. For purposes of this instrument, "Papillion Owner" shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to Papillion Lot 2, but excluding those having such interest merely as security for the performance of an obligation (collectively, La Vista Owner and Papillion Owner are sometimes hereinafter referred to as "Owners").

2. Easement for Ingress and Egress; Parking. Declarant hereby grants and conveys to the Owners a perpetual, non-exclusive blanket easement for vehicular and pedestrian ingress and egress to and from each of the Lots over, upon and across all portions of the Lots which are not subsequently improved with buildings, all as designated as "Blanket Easement" as shown on Exhibit "B" attached hereto; provided, however, said easement does not allow for parking on any

areas designed for a shared driveway (the "Shared Driveway") except for temporary parking by customers when loading or unloading personal property and during times that will not interfere with traffic on the Shared Driveway. Additionally, Declarant hereby grants and conveys to the Owners a perpetual, non-exclusive easement for vehicular and pedestrian ingress and egress to and from each of the Lots over, upon and across that portion of each Lot designated by the respective Owner as "parking spaces" on the respective Lot, all as shown on a final plan approved by the Declarant and any necessary governmental entity prior to development of each Lot.

3. Sewer Line and Utilities Easement. Declarant hereby grants and conveys to the Owners a perpetual, non-exclusive easement in, to, over, under, along and across that portion of the Lots necessary for access to and from, installation, operation, flow, passage, use, maintenance, connection and repair of all utilities and sewer lines beneficial to the Lots. Additionally, Declarant hereby grants and conveys to the Owners a perpetual, non-exclusive easement in, to, over, under, along and across that portion of the Lots necessary for storm water drainage flowing from one Lot to another Lot, and including, but not limited to, utilizing any detention pond which may be located on one of the Lots. The easement rights described in this Section 3 shall sometimes hereinafter be collectively referred to as the "Utilities".

4. Initial Construction. Declarant shall obtain any necessary permits for construction of the Shared Driveway, Utilities and any other necessary private infrastructure placed on the Lots to support their respective development (collectively, the "Improvements") and shall install the Improvements in a manner that complies with all governmental and regulatory requirements. The Improvements shall be installed in accordance with the terms of the Subdivision Agreement (Sarpy County Industrial Park Replat 3) entered into by Declarant with the City of La Vista, Nebraska as of \_\_\_\_\_, 2015 (the "Subdivision Agreement").

5. Maintenance. The Owners shall maintain the Improvements in good condition, whereby each Owner shall pay a pro rata share of said maintenance in accordance with each Owner's pro rata ownership of the area of the Lots, which shall be as follows:

<u>Lots</u>	<u>Area (in square feet)</u>	<u>Pro Rata Share</u>
La Vista Lot 2	315,963	62.5%
Papillion Lot 2	189,338	37.5%
<b>Total</b>	<b>505,301</b>	<b>100%</b>

The maintenance of the Improvements shall be such as is reasonably necessary to keep the same in a neat, clean and sanitary condition. Said maintenance on the Shared Driveway shall include, but shall not be limited to, the following: removal of any and all accumulations of ice and snow, which shall include any necessary sanding and salting; removal of any and all accumulations of dirt and debris; repair of the surface condition which shall include pavement, sealing, pothole repair, resurfacing and complete replacement (as necessary); any necessary painting and striping to indicate traffic line patterns. Said maintenance on the Utilities shall include, but shall not be limited to, the following: removal and replacement of any drain tiles, culverts, water lines, sewer lines, electrical lines, conduit and any other materials or services as may be necessary to retain the Utilities in good working order; removal of any accumulations of dirt and debris from the detention pond; and repair and maintenance of any surface condition (i.e., grading, landscaping) necessary to maintain the Utilities as contemplated after the initial construction and after any subsequent maintenance, repairs or add-ons.

6. Subsequent Construction. Any Owner electing to connect to the Utilities to provide service to their respective Lot (each a "Separate Utility Line") shall obtain all permits and approvals and shall pay all costs and expenses with respect to the initial construction and all subsequent maintenance, relocation or abandonment of the Separate Utility Line. The Separate Utility Line shall be maintained by the Owner which installed it in a safe, clean and good state of repair and condition. An Owner which installs a Separate Utility Line shall perform all such work in compliance with governmental requirements and in a manner that does not disturb or restrict any other Owners' use of the Improvements. Except in the case of a maintenance emergency, an Owner shall provide at least fifteen (15) days' prior written notice to the other Owners before commencement of any work on a Separate Utility Line. When performing any initial construction or subsequent maintenance on a Separate Utility Line, said Owner agrees to defend, protect, indemnify and hold harmless the Declarant and other Owners from and against all claims or demands, including any action or proceeding brought thereon, and all costs, losses, expenses and liabilities of any kind relating thereto, arising out of or resulting from the exercise of the right to install, maintain and operate the Separate Utility Line. An Owner which installs a Separate Utility Line shall provide the other Owners with a copy of an as-built survey showing the location of said Separate Utility Line.

7. Hookup Fees; Other Fees. Any Lot which connects to the Improvements shall pay an initial fee (the "Fee") in an amount determined by Declarant. Any Lot which connects to the Utilities shall also pay any other hook-up fees or permit fees (if any) required from governmental entities.

8. Compliance with Other Agreements. Any Owner which connects his/her/its Lot to the Improvements must comply with all of the terms and conditions set forth in the Subdivision Agreement. In the event that an Owner violates the terms of the Subdivision Agreement, said Owner shall be responsible for paying any fees or charges which might be assessed against Declarant or any other Owners due to such Owner's actions.

9. Maintenance Manager. The Owners shall elect, by majority vote, a maintenance manager (the "Maintenance Manager") to ensure that the Improvements are maintained in accordance with Section 5. Each Owner shall have one (1) vote, and the Maintenance Manager can either be one of the Owners or some other third-party. Notwithstanding the foregoing provisions of this Section 9, the Declarant shall be the Maintenance Manager for as long as the Declarant is an Owner of a Lot.

At the end of each month, the Maintenance Manager shall submit to the Owners a detailed statement showing an itemization of the total actual cost of maintenance performed on the Improvements and each Owner's pro rata share of said costs as determined in accordance with Section 5. Each Owner shall pay their respective share of said costs within fifteen (15) days after receipt of such invoice from the Maintenance Manager. In the event that an Owner does not pay its invoice within said 15-day period, the Maintenance Manager shall have the authority to (i) charge interest on the overdue amount at the rate of 18% per annum and (ii) file a lien against the Owner's Lot until the invoice and all amounts accruing are paid in full.

The Maintenance Manager shall perform maintenance on the Improvements in a reasonable and diligent manner and shall use every effort to perform such maintenance at the lowest reasonable cost. In the event that the Maintenance Manager fails to perform its duties as set forth in this Section 9, any of the Owners may, seven (7) days after providing written notice to the Maintenance Manager of its failure to provide said maintenance, perform or have performed the necessary maintenance actions contemplated by Section 5; provided, however, seven (7)

days' written notice shall not be necessary in the event of maintenance which must occur in a more timely manner (i.e., snow and ice removal). In the event that any Owner performs maintenance in accordance with the provisions set forth in this paragraph, said Owner shall be entitled to seek reimbursement from the other Owners in the same manner as set forth in this Section 9.

10. Insurance. Each Owner shall carry its own comprehensive or commercial general liability insurance on its respective Lot and said insurance shall extend to the Improvements.

11. Covenants Running With the Land. The right to use the Improvements shall be non-exclusive and shall run with the land and shall be for the benefit of the Owners, their successors or assigns, tenants, sub-tenants, employees, customers and business invitees. The responsibility to maintain the Improvements shall run with the land and shall be for the benefit of the Owners, their successors or assigns, tenants, sub-tenants, employees, customers and business invitees.

12. Attorneys' Fees and Costs. If any Owner engages an attorney to enforce the provisions of this Declaration of Easement against the other Owners, then the prevailing party shall be entitled to recover from the non-prevailing party all attorneys' fees and costs incurred.

DATED this \_\_\_ day of April, 2015.

SGTS, LLC, a Nebraska limited liability company

By: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

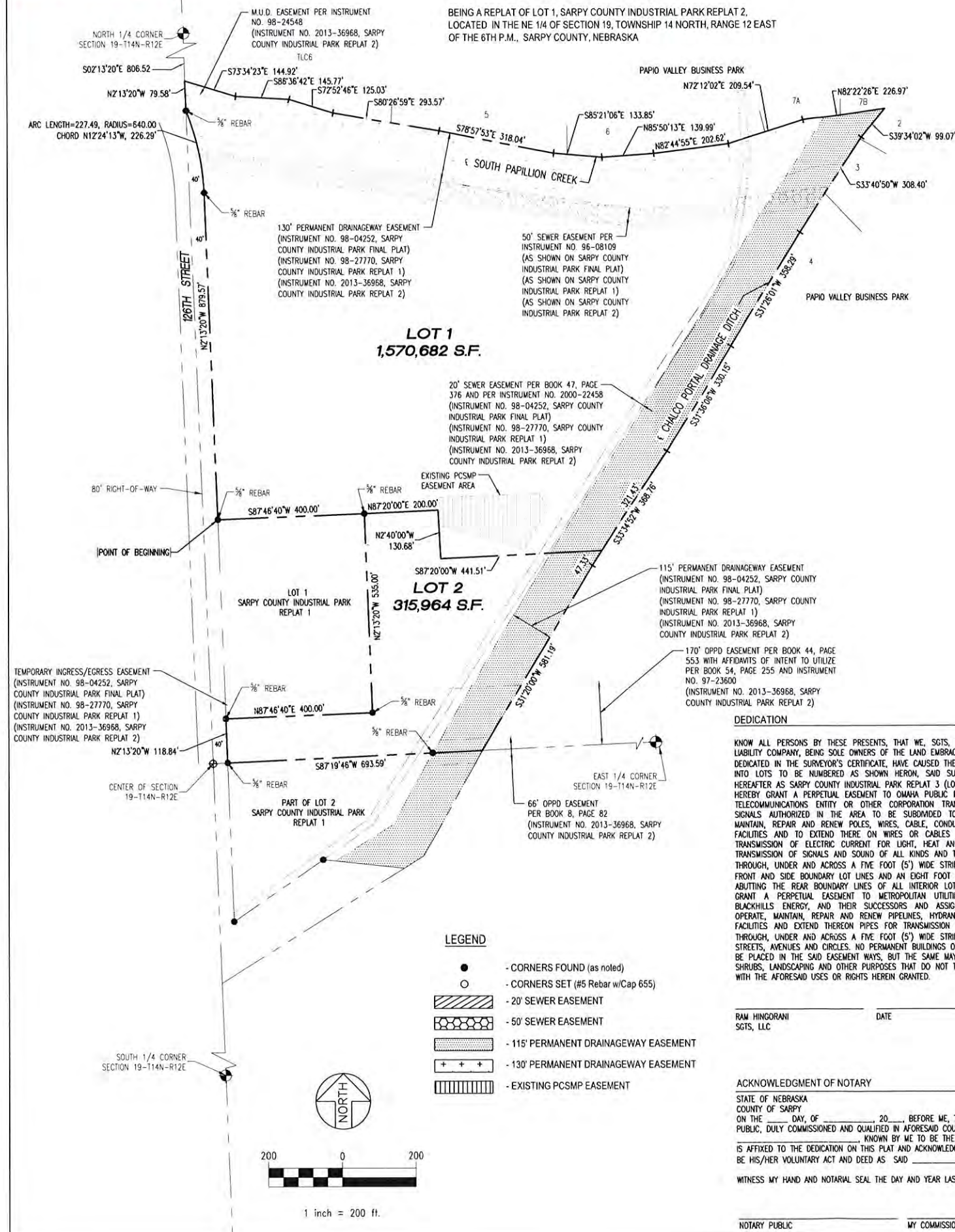
The foregoing instrument was acknowledged before me this \_\_\_ day of April, 2015, by \_\_\_\_\_, \_\_\_\_\_ of SGTS, LLC, a Nebraska limited liability company, for and on behalf of said company.

\_\_\_\_\_  
Notary Public

# EXHIBIT A

## SARPY COUNTY INDUSTRIAL PARK REPLAT 3 LOTS 1 AND 2

BEING A REPLAT OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2,  
LOCATED IN THE NE 1/4 OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 12 EAST  
OF THE 6TH P.M., SARPY COUNTY, NEBRASKA



### LAND SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED IN COMPLIANCE WITH THE LAWS OF THE STATE OF NEBRASKA, AND THAT THIS PLAT MEETS OR EXCEEDS THE "MINIMUM STANDARDS FOR SURVEYS" ADOPTED BY THE NEBRASKA STATE BOARD OF EXAMINERS FOR LAND SURVEYORS. FURTHER, I HEREBY CERTIFY THAT I HAVE MADE A BOUNDARY SURVEY OF THE SUBDIVISION DESCRIBED HERON AND THAT PERMANENT MARKERS WILL BE SET (OR HAVE BEEN SET) AT ALL LOT CORNERS, ANGLE POINTS AND AT THE ENDS OF ALL CURVES WITHIN THE SUBDIVISION TO BE KNOWN AS SARPY COUNTY INDUSTRIAL PARK REPLAT 3, BEING A REPLATING OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2. DESCRIBED AS FOLLOWS:

LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, A SUBDIVISION LOCATED IN THE NE 1/4 OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, SAID SARPY COUNTY INDUSTRIAL PARK REPLAT 1, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF 126TH STREET; THENCE NO2'13'20"W (ASSUMED BEARING) ALONG THE WEST LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, SAID LINE ALSO BEING SAID EAST RIGHT-OF-WAY LINE OF 126TH STREET, A DISTANCE OF 879.57 FEET; THENCE NORTHWESTERLY, ALONG SAID EAST RIGHT-OF-WAY LINE OF 126TH STREET, SAID LINE ALSO BEING SAID WEST LINE OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, ON A CURVE TO THE LEFT WITH A RADIUS OF 640.00 FEET, A DISTANCE OF 227.49 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N1224'13"W, A DISTANCE OF 226.29 FEET TO A POINT ON THE WEST LINE OF SAID NE 1/4 OF SECTION 19; THENCE NO2'13'20"W ALONG SAID WEST LINE OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, SAID LINE ALSO BEING SAID WEST LINE OF THE NE 1/4 OF SECTION 19, A DISTANCE OF 79.58 FEET TO A POINT ON THE CENTERLINE OF THE SOUTH PAPIILLION CREEK, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2; THENCE SOUTHEASTERLY AND NORTHEASTERLY ALONG SAID CENTERLINE OF THE SOUTH PAPIILLION CREEK, SAID LINE ALSO BEING THE NORTH LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2 ON THE FOLLOWING DESCRIBED COURSES; THENCE S73'34'23"E, A DISTANCE OF 144.92 FEET; THENCE S86'36'42"E, A DISTANCE OF 145.77 FEET; THENCE S72'52'46"E, A DISTANCE OF 125.03 FEET; THENCE S80'26'59"E, A DISTANCE OF 293.57 FEET; THENCE S78'57'53"E, A DISTANCE OF 318.04 FEET; THENCE S85'21'06"E, A DISTANCE OF 133.85 FEET; THENCE N85'50'13"E, A DISTANCE OF 139.99 FEET; THENCE N82'44'55"E, A DISTANCE OF 202.62 FEET; THENCE N72'12'02"E, A DISTANCE OF 209.54 FEET; THENCE N82'22'26"E, A DISTANCE OF 226.97 FEET TO THE INTERSECTION OF SAID CENTERLINE OF THE SOUTH PAPIILLION CREEK AND THE CENTERLINE OF THE CHALCO-PORTAL DRAINAGE DITCH; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE OF THE CHALCO-PORTAL DRAINAGE DITCH SAID LINE ALSO BEING THE EASTERLY LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, ON THE FOLLOWING DESCRIBED COURSES; THENCE S39'34'02"W, A DISTANCE OF 99.07 FEET; THENCE S33'40'50"W, A DISTANCE OF 308.40 FEET; THENCE S31'26'01"W, A DISTANCE OF 358.29 FEET; THENCE S31'36'06"W, A DISTANCE OF 330.15 FEET; THENCE S33'34'52"W, A DISTANCE OF 368.76 FEET; THENCE S31'20'00"W, A DISTANCE OF 581.19 FEET TO THE INTERSECTION OF SAID CENTERLINE OF THE CHALCO-PORTAL DRAINAGE DITCH AND THE SOUTH LINE OF SAID NE 1/4 OF SECTION 19; THENCE S87'19'46"W, ALONG SAID SOUTH LINE OF THE NE 1/4 OF SECTION 19, A DISTANCE OF 693.59 FEET TO A POINT ON SAID WEST LINE OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, SAID POINT ALSO BEING ON SAID EAST RIGHT-OF-WAY LINE OF 126TH STREET; THENCE NO2'13'20"W ALONG SAID EAST RIGHT-OF-WAY LINE OF 126TH STREET, SAID LINE ALSO BEING SAID WEST LINE OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 2, A DISTANCE OF 118.84 FEET TO THE SOUTHWEST CORNER OF LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1; THENCE N87'48'40"E ALONG THE SOUTH LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1, A DISTANCE OF 400.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1; THENCE NO2'13'20"W ALONG THE EAST LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1, A DISTANCE OF 535.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1; THENCE S87'46'40"W ALONG THE NORTH LINE OF SAID LOT 1, SARPY COUNTY INDUSTRIAL PARK REPLAT 1, A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF LAND 1,886,646 SQ. FT. OR 43.311 ACRES MORE OR LESS.

TIMOTHY J. CONWAY R.L.S. # 655 DATE

REVIEW BY SARPY COUNTY PUBLIC WORKS  
REVIEW OF SARPY COUNTY SURVEYOR

THIS PLAT OF SARPY COUNTY INDUSTRIAL PARK REPLAT 3 WAS REVIEWED BY THE OFFICE OF SARPY COUNTY SURVEYOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

SARPY COUNTY SURVEYOR (SEAL)

COUNTY TREASURERS CERTIFICATION

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY AS DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND EMBRACED IN THIS PLAT AS SHOWN BY THE RECORDS OF THIS OFFICE.

COUNTY TREASURER DATE

ACCEPTANCE BY LA VISTA CITY COUNCIL

THIS PLAT OF SARPY COUNTY INDUSTRIAL PARK REPLAT 3 (LOTS NUMBERED AS SHOWN) WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ON THIS \_\_\_\_ DAY \_\_\_\_ 20\_\_, IN ACCORDANCE WITH STATE STATUTES OF NEBRASKA.

ATTEST  
CITY CLERK MAYOR

APPROVAL OF LA VISTA CITY PLANNING COMMISSION

THIS PLAT OF SARPY COUNTY INDUSTRIAL PARK REPLAT 3 (LOTS NUMBERED AS SHOWN) WAS APPROVED BY THE CITY PLANNING COMMISSION ON THIS \_\_\_\_ DAY \_\_\_\_ 20\_\_.

CHAIRMAN OF LA VISTA CITY PLANNING COMMISSION

APPROVAL OF SARPY COUNTY REGISTRAR OF DEEDS

RECORDED ON THIS \_\_\_\_ DAY \_\_\_\_ 20\_\_.

SARPY COUNTY REGISTRAR OF DEEDS DATE

### DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS, THAT WE, SGTs, LLC A NEBRASKA LIMITED LIABILITY COMPANY, BEING SOLE OWNERS OF THE LAND EMBRACED WITHIN THIS PLAT AND DEDICATED IN THE SURVEYOR'S CERTIFICATE, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS TO BE NUMBERED AS SHOWN HERON, SAID SUBDIVISION TO BE KNOWN HEREAFTER AS SARPY COUNTY INDUSTRIAL PARK REPLAT 3 (LOTS 1 AND 2) AND WE DO HEREBY GRANT A PERPETUAL EASEMENT TO OMAHA PUBLIC POWER DISTRICT AND ANY TELECOMMUNICATIONS ENTITY OR OTHER CORPORATION TRANSMITTING COMMUNICATION SIGNALS AUTHORIZED IN THE AREA TO BE SUBDIVIDED TO USE, ERECT, OPERATE, MAINTAIN, REPAIR AND RENEW POLES, WIRES, CABLE, CONDUITS AND OTHER RELATED FACILITIES AND TO EXTEND THERE ON WIRES OR CABLES FOR THE CARRYING AND TRANSMISSION OF ELECTRIC CURRENT FOR LIGHT, HEAT AND POWER AND FOR THE TRANSMISSION OF SIGNALS AND SOUND OF ALL KINDS AND THE RECEPTION ON, OVER, THROUGH, UNDER AND ACROSS A FIVE FOOT (5') WIDE STRIP OF LAND ABUTTING ALL FRONT AND SIDE BOUNDARY LOT LINES AND AN EIGHT FOOT (8') WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL INTERIOR LOTS, AND WE DO FURTHER GRANT A PERPETUAL EASEMENT TO METROPOLITAN UTILITIES DISTRICT OF OMAHA, BLACKHILLS ENERGY, AND THEIR SUCCESSORS AND ASSIGNS, TO ERECT, INSTALL, OPERATE, MAINTAIN, REPAIR AND RENEW PIPELINES, HYDRANTS, AND OTHER RELATED FACILITIES AND EXTEND THEREON PIPES FOR TRANSMISSION OF GAS AND WATER ON, THROUGH, UNDER AND ACROSS A FIVE FOOT (5') WIDE STRIP OF LAND ABUTTING ALL STREETS, AVENUES AND CIRCLES. NO PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE PLACED IN THE SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREIN GRANTED.

RAM HINGORANI DATE  
SGTs, LLC

### ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA  
COUNTY OF SARPY  
ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN AFORESAID COUNTY PERSONALLY APPEARED \_\_\_\_\_, KNOWN BY ME TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE DEDICATION ON THIS PLAT AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS/HER VOLUNTARY ACT AND DEED AS SAID \_\_\_\_\_

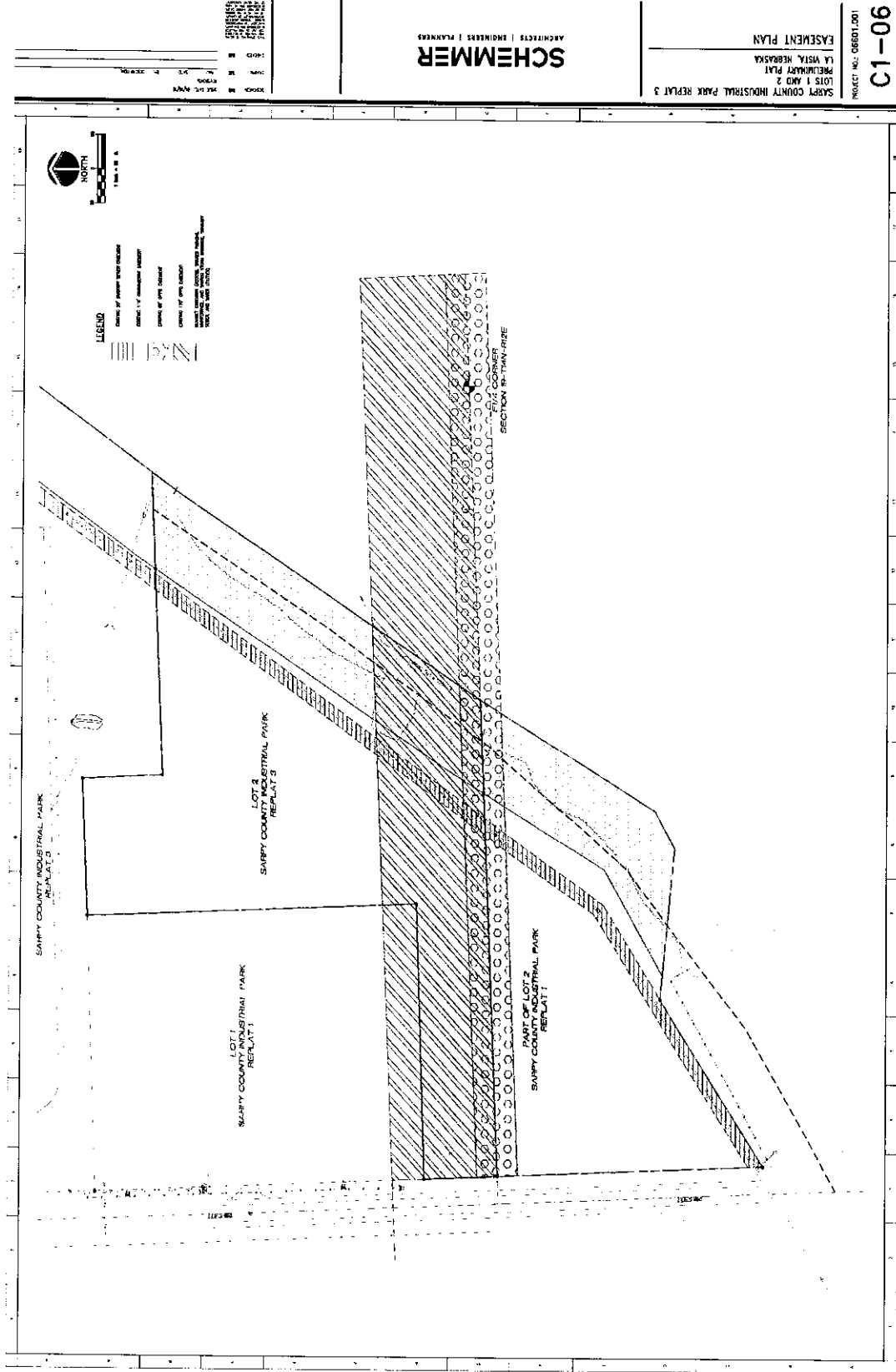
WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND YEAR LAST ABOVE MENTIONED.

NOTARY PUBLIC MY COMMISSION EXPIRES

DESIGNED	ASB	CHECKED	TJC	DATE	4-15-15
DRAWN	ASB	CHECKED	TJC	DATE	4-15-15
DATE	12-25-14	DATE	12-25-14	DATE	12-25-14
<b>SCHEMMER ARCHITECTS   ENGINEERS   PLANNERS</b>					
SARPY COUNTY INDUSTRIAL PARK REPLAT 3 LOTS 1 AND 2 SARPY COUNTY, NEBRASKA					
FINAL PLAT					
JOB NO. 06416.005					
SHEET 1 of 1					



**EXHIBIT "B"**  
**SHARED DRIVEWAY**



- LEGEND**
- CENTER OF SHARED DRIVEWAY
  - CENTER OF DRIVEWAY EASEMENT
  - CENTER OF DRIVE
  - CENTER OF SIDE WALK
  - DRIVEWAY EASEMENT, DRIVEWAY, SIDE WALK AND SIDE WALK EASEMENT

SARPY COUNTY INDUSTRIAL PARK  
REF PLAT 3

LOT 1  
SARPY COUNTY INDUSTRIAL PARK  
REF PLAT 1

LOT 2  
SARPY COUNTY INDUSTRIAL PARK  
REF PLAT 2

PART OF LOT 2  
SARPY COUNTY INDUSTRIAL PARK  
REF PLAT 1

SECTION B-TWIN-PIRE

NO.	DESCRIPTION	DATE
1	AS SHOWN	12/20/20

SCALE: 1" = 20'-0"

DATE: 12/20/20

BY: [Signature]

CHECKED: [Signature]

**SCHEMMER**  
ARCHITECTS | ENGINEERS | PLANNERS

SARPY COUNTY INDUSTRIAL PARK REPEAT 3  
LOTS 1 AND 2  
PRELIMINARY PLAN  
LA VISTA, NEBRASKA  
EASEMENT PLAN

PROJECT NO: 08601.001  
**C1-06**

**City of La Vista  
Conditional Use Permit**

**Conditional Use Permit for Self Storage Facility**

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, SGTS LLC (“Owner”), pursuant to the La Vista Zoning Ordinance.

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

Lot 2, Sarpy County Industrial Park Replat 3 in the SW¼ NE¼, Section 19, 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 self storage facility based upon the criteria prescribed in the La Vista Zoning Ordinance; and

WHEREAS, Owner concurrently will construct and operate self storage facilities on Lot 2, Sarpy County Industrial Park Replat 1, which lot is adjacent to the Property and located in the City of Papillion (“Lot 2 Papillion”). Self storage facilities on Lot 2 Papillion will be constructed and operated with facilities on the Property in La Vista as a unified development and business. Development and operation of Lot 2 Papillion shall be subject to jurisdiction, requirements and approvals of the City of Papillion.

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, and C”.

- b. Office hours will be daily from 6:30 a.m. to 9:00 p.m.
  - c. There will be one full-time property manager and one full-time assistant manager along with a part-time person responsible for cleaning and maintaining the facility. Property managers are responsible for the marketing and leasing of storage units, customer care, and collection of delinquent accounts.
  - d. The site is 7.27 acres and will be comprised of 9 self-storage buildings. 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.
  - e. The premises shall be developed and maintained in accordance with the site plans (Exhibit A, B, and C) and landscaping plan (Exhibit D) as approved by the City and incorporated herein by this reference.
  - f. 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.
  - g. 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.
  - h. All mechanical units shall be properly screened from public view by structural or vegetative screens, subject to approval of the Chief Building Official.
  - i. There shall not be any outside storage of materials or goods.
  - 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. Owner shall obtain permits for grading and Post Construction Stormwater Management Permit from the City of Papillion. Building permits will be concurrently reviewed and issued by both cities.
  - n. 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.
  - o. 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.
  - p. 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 subject to the terms and conditions of the subdivision agreement between the Owner and City with respect to the Property, dated \_\_\_\_\_, and further shall be subject to Subdivider obtaining all required approvals of the City and City of Papillion. In the event of any conflict, inconsistency or ambiguity in or among any documents, instruments, rules, regulations, or requirements of the City and the City of Papillion, the more stringent rule, regulation, requirement or interpretation will apply.
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:** Ram Hingorani  
SGTS LLC  
8719 S. 135th 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:

\_\_\_\_\_  
Rita Ramirez  
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: \_\_\_\_\_

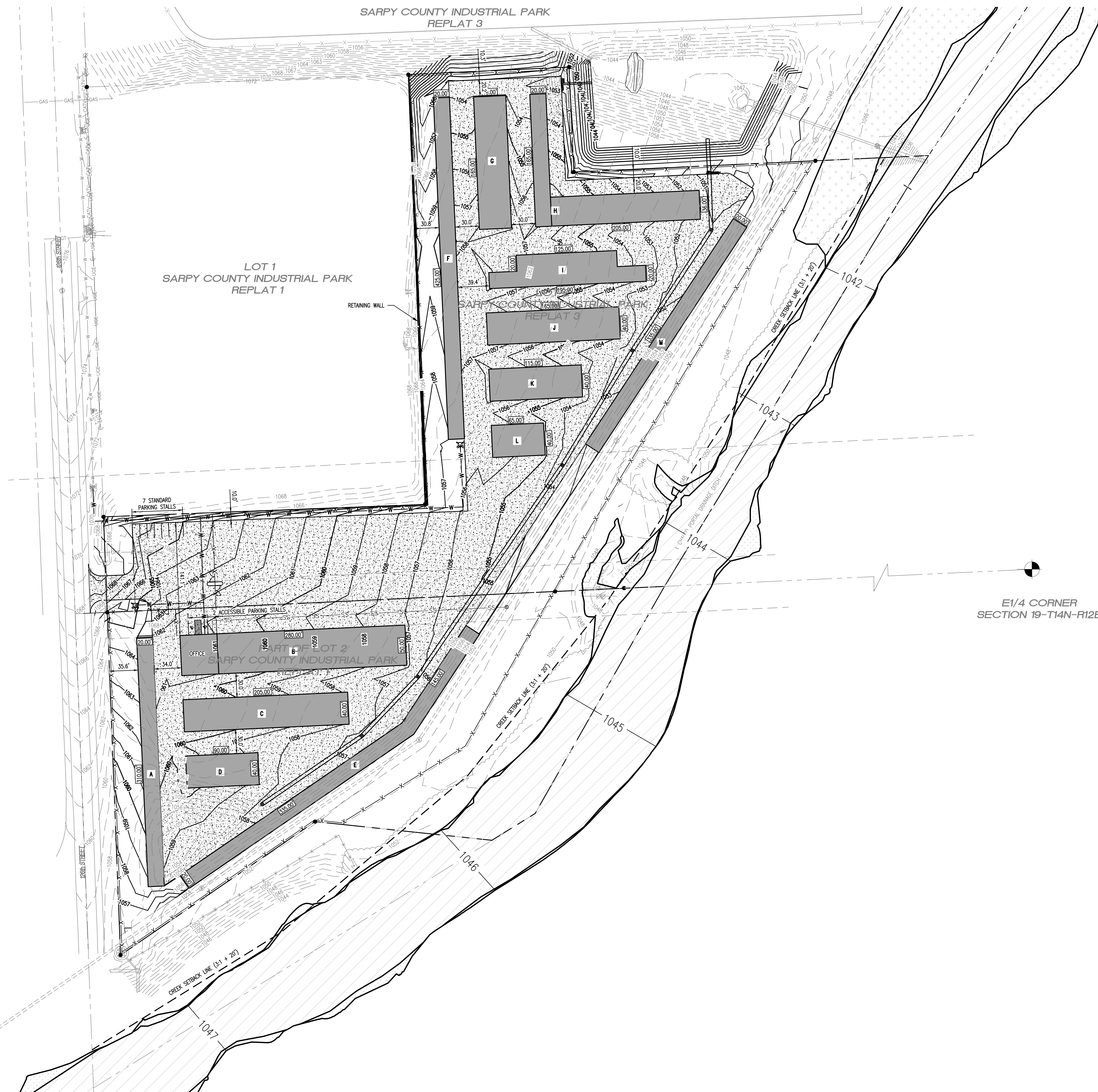
SARPY COUNTY INDUSTRIAL PARK  
REPLAT 3

LOT 1  
SARPY COUNTY INDUSTRIAL PARK  
REPLAT 1

[Symbol] ZONE AE FLOODPLAIN  
 [Symbol] ZONE AE FLOODWAY  
 [Symbol] ZONE X  
 [Symbol] PROPOSED SELF-STORAGE BUILDING

NORTH  
50 0 50  
1 inch = 50 ft.

BUILDING AREA	
A	6,200 S.F.
B	14,000 S.F.
C	8,200 S.F.
D	3,600 S.F.
E	9,678 S.F.
F	8,500 S.F.
G	6,600 S.F.
H	9,960 S.F.
I	6,400 S.F.
J	6,600 S.F.
K	4,600 S.F.
L	2,600 S.F.
M	6,700 S.F.
TOTAL	93,638 S.F.



DESIGNED: RMD	ISSUE DATE: 04/15/15
DRAWN: DK	REVISIONS: No.
CHECKED: MH	DATE: BY: DESCRIPTION:

THIS DRAWING IS BEING  
FOR USE ON THE PROJECT  
AND THE CONTRACTOR SHALL  
BE RESPONSIBLE FOR THE QUALITY  
OF THE WORK. THE ARCHITECT  
OR ENGINEER SHALL NOT BE  
RESPONSIBLE FOR THE QUALITY  
OF THE WORK OR THE ACCURACY  
OF THE RECORD DRAWINGS.

**SCHEMMER**  
ARCHITECTS | ENGINEERS | PLANNERS

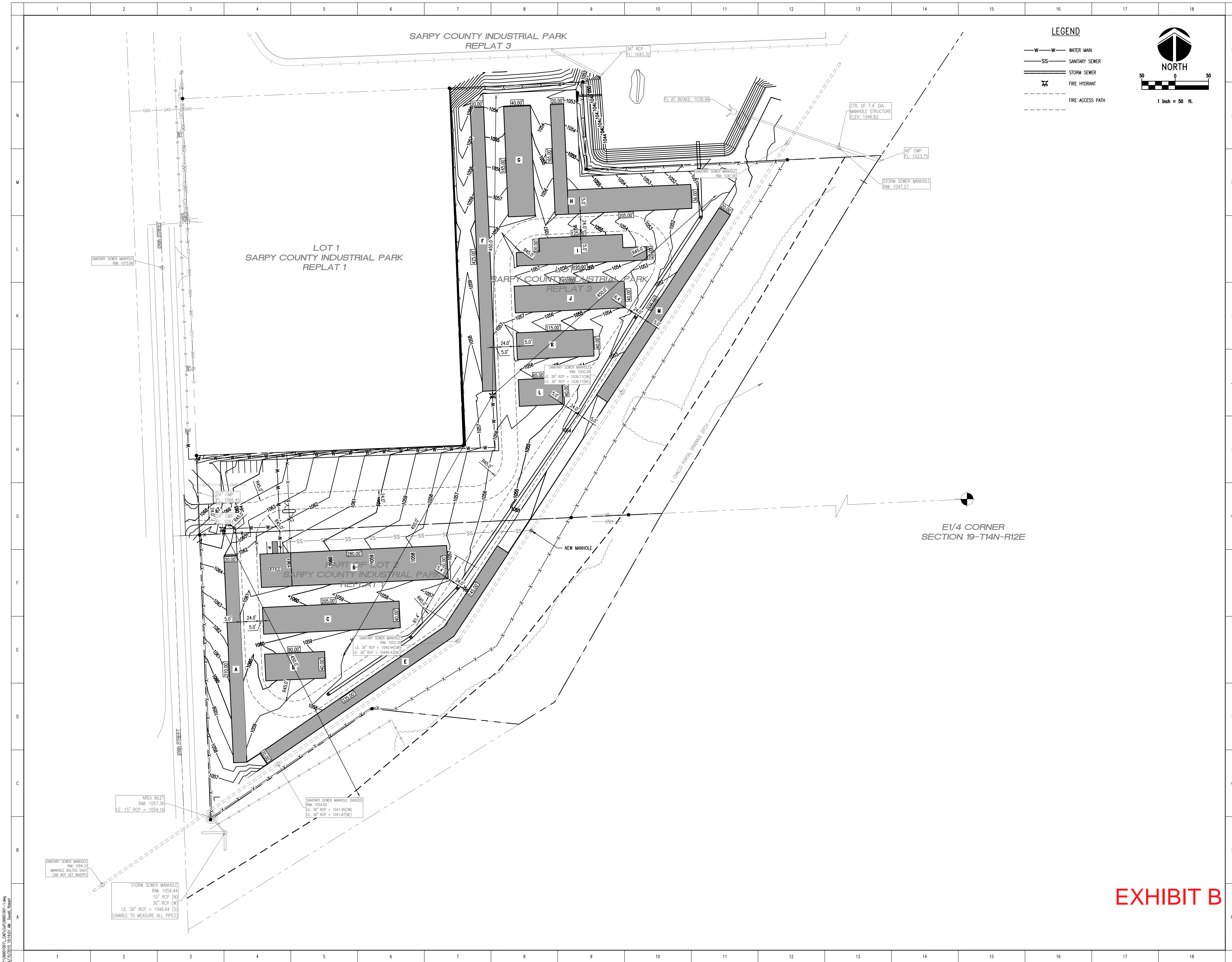
SARPY COUNTY INDUSTRIAL PARK REPLAT 3  
LOTS 1 AND 2  
PRELIMINARY PLAT  
LA VISTA, NEBRASKA  
SITE PLAN

PROJECT NO.: 06601.001

**C1-02**

**EXHIBIT A**

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2/25/2015 10:55:52 AM - 10/15/2015



DESIGNED:	RMD	ISSUE DATE:	04/15/15
DRAWN:	DK	REVISIONS:	
CHECKED:	MH	No.:	
		DATE:	
		BY:	
		DESCRIPTION:	

**SCHEMMER**  
ARCHITECTS | ENGINEERS | PLANNERS

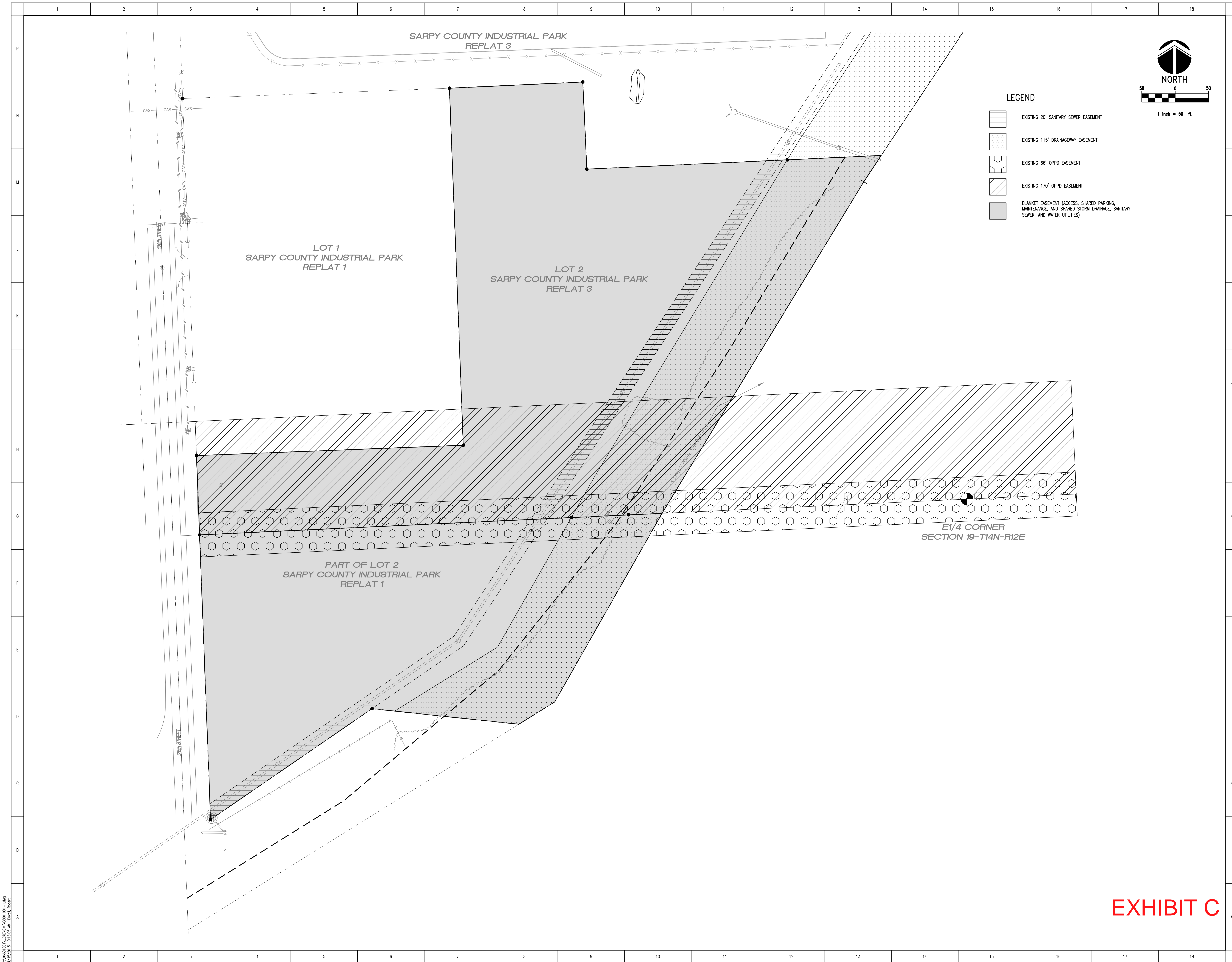
SARPY COUNTY INDUSTRIAL PARK REPLAT 3  
LOTS 1 AND 2  
PRELIMINARY PLAT  
LA VISTA, NEBRASKA  
SITE UTILITY PLAN

PROJECT NO.: 06601.001

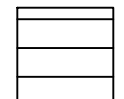
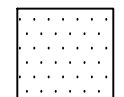
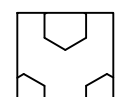
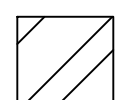
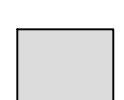
**C1-04**

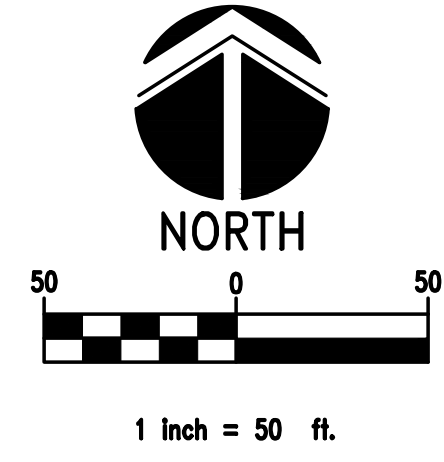
**EXHIBIT B**

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**LEGEND**

-  EXISTING 20' SANITARY SEWER EASEMENT
-  EXISTING 115' DRAINAGEWAY EASEMENT
-  EXISTING 66' OPPD EASEMENT
-  EXISTING 170' OPPD EASEMENT
-  BLANKET EASEMENT (ACCESS, SHARED PARKING, MAINTENANCE, AND SHARED STORM DRAINAGE, SANITARY SEWER, AND WATER UTILITIES)



DESIGNED:	RMD	ISSUE DATE:	04/15/15
DRAWN:	DK	REVISIONS:	
CHECKED:	MH	No.:	
		DATE:	
		BY:	
		DESCRIPTION:	

**SCHEMMER**  
ARCHITECTS | ENGINEERS | PLANNERS

SARPY COUNTY INDUSTRIAL PARK REPLAT 3  
LOTS 1 AND 2  
PRELIMINARY PLAT  
LA VISTA, NEBRASKA  
EASEMENT PLAN

PROJECT NO.: 06601.001

**C1-06**

**EXHIBIT C**

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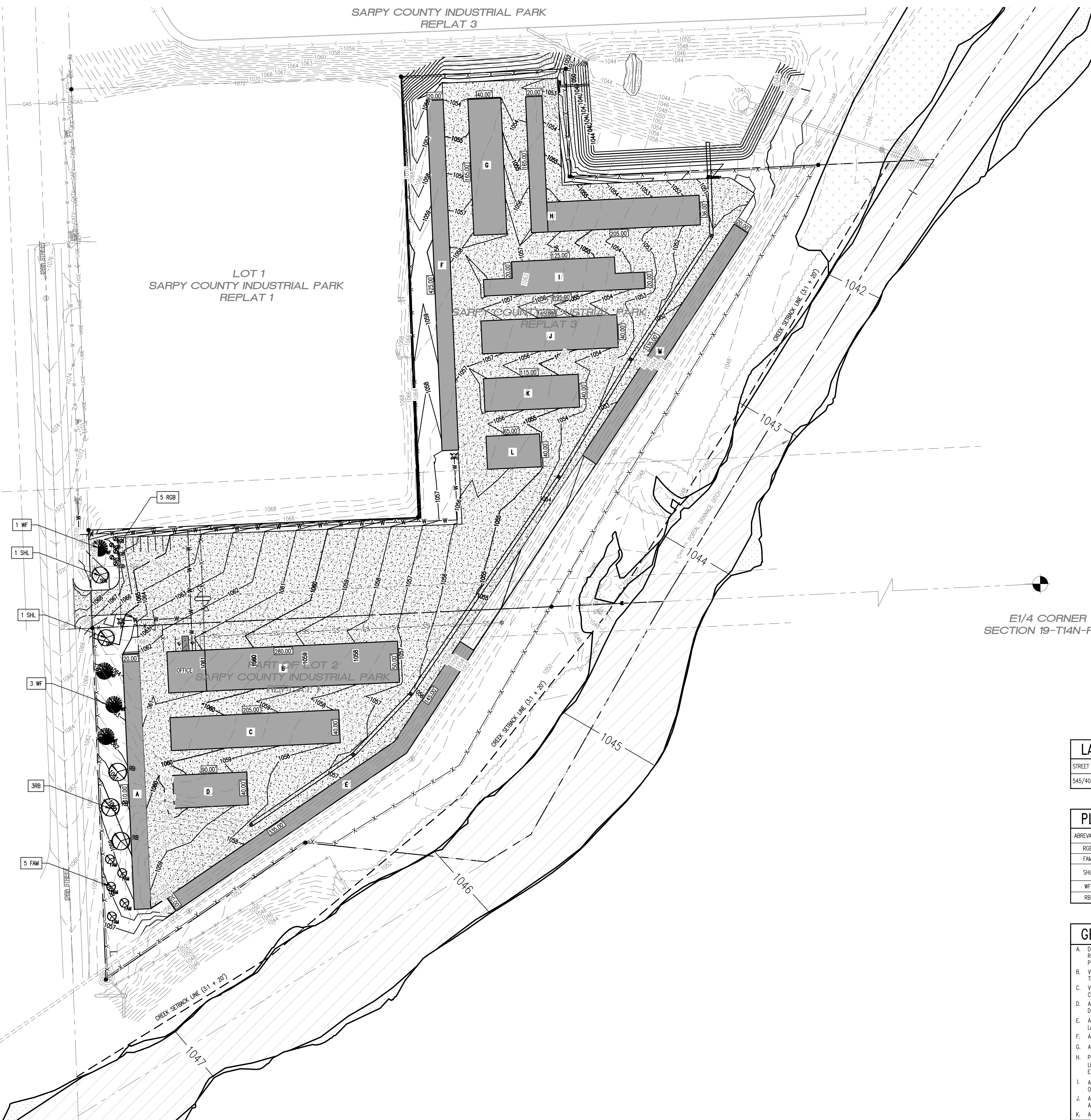


SARPY COUNTY INDUSTRIAL PARK  
REPLAT 3

LOT 1  
SARPY COUNTY INDUSTRIAL PARK  
REPLAT 1

ZONE AE FLOODPLAIN  
 ZONE AE FLOODWAY  
 ZONE X  
 PROPOSED SELF-STORAGE BUILDING

NORTH  
1 inch = 50 ft.



E1/4 CORNER  
SECTION 19-T14N-R12E

EXHIBIT D

LANDSCAPING CALCUATIONS	
STREET FRONTAGE = 545 L.F.	
545/40 = 13.6 (14 TOTAL TREES REQUIRED IN STREET YARD)	

PLANT SCHEDULE			
ABBREVIATION	COMMON NAME	SCIENTIFIC NAME	SIZE
RGB	ROSE GLOW BARBERRY	BARBERIS THUNDERBOL 'ROSE GLOW'	36" POT
FAM	FLAME AMUR MAPLE	ACER GINNALA 'FLAME'	2" CAL.
SHL	SHADEMASTER HONEYLOCUST	GLEDITSIA TRIACANTHOS INERMIS 'SHADEMASTER'	2" CAL.
WF	WHITE FIR	ABIES CONCOLOR	6" B&B
RB	RIVER BIRCH	BETULA NIGRA	2" CAL.

- GENERAL LANDSCAPING NOTES:**
- DO NOT BEGIN WORK UNTIL ALL REQUIRED PERMITS ARE IN HAND AND APPROVED DRAWINGS REFLECTING THE REQUIREMENTS OF THE PERMITS ARE PHYSICALLY ON THE JOB SITE. REQUIRED PERMITS SHALL INCLUDE BUT NOT BE LIMITED TO THE LANDSCAPE PERMIT.
  - VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO STARTING CONSTRUCTION AND IMMEDIATELY NOTIFY THE LANDSCAPE ARCHITECT OF ANY DISCREPANCIES.
  - VERIFY LOCATION OF ALL UTILITIES INCLUDING SANITARY AND STORM SEWER PRIOR TO BEGINNING CONSTRUCTION. CARE SHOULD BE TAKEN NOT TO DISTURB UTILITIES DURING CONSTRUCTION.
  - ALL WORK PERFORMED ON THIS PROJECT SHALL BE IN CONFORMANCE WITH THE CONTRACT DOCUMENTS AND ALL APPLICABLE CODES, STANDARDS, ORDINANCES, ETC.
  - ALL PLANTS TO BE GUARANTEED FOR ONE FULL YEAR AT FULL REPLACEMENT VALUE INCLUDING LABOR.
  - ALL DEBRIS FROM CONSTRUCTION SHALL BE LAWFULLY DISPOSED OF OFF SITE.
  - ALL PLANTING AREAS MUST BE FREE OF ALL WEEDS AND DEBRIS BEFORE BEGINNING WORK.
  - PROVIDE AND INSTALL A LOCALLY AVAILABLE HARDWOOD MULCH IN SHRUB BED. SHAPE EXISTING SOIL LEVELS WITHIN PLANTING BEDS SO THAT THE 3"-4" THICKNESS OF HARDWOOD MULCH DOES NOT EXCEED THE ELEVATION OF THE SIDEWALK, CURB OR VINYL EDGING.
  - ALL LANDSCAPE BEDS SHALL BE EDGED WITH A 5" COMMERCIAL GRADE BLACK VINYL EDGING UNLESS OTHERWISE NOTED.
  - ALL PLANT MATERIAL SHALL BE OF GOOD QUALITY AND SIZES SHALL MEET REQUIRED SIZES SPECIFIED. ALL PLANTS SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT.
  - ALL GRADING AND BERMING SHALL BE COORDINATED WITH THE GENERAL CONTRACTOR.

DESIGNED: RMD  
DRAWN: DK  
CHECKED: MH

ISSUE DATE: 04/15/15  
REVISIONS:  
No. DATE: BY: DESCRIPTION:

THIS DRAWING IS BEING PROVIDED AS A PRELIMINARY PLAN. IT IS NOT TO BE USED FOR CONSTRUCTION. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION SHOWN ON THIS DRAWING. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

**SCHEMMER**  
ARCHITECTS | ENGINEERS | PLANNERS

SARPY COUNTY INDUSTRIAL PARK REPLAT 3  
LOTS 1 AND 2  
PRELIMINARY PLAN  
LA VISTA, NEBRASKA  
LANDSCAPING PLAN

PROJECT NO.: 06601.001

C1-08

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
APRIL 21, 2015 AGENDA**

Subject:	Type:	Submitted By:
FIREWORKS PERMITS	◆ RESOLUTIONS ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

**SYNOPSIS**

Two resolutions have been prepared to approve the issuance of conditional 2015 retail fireworks sales permits. The first resolution establishes the number of permits the City will issue. The second resolution conditionally grants permits to the organizations approved by Council.

Applications have been received from:

- Beautiful Savior Lutheran Church
- Cornerstone Church
- La Vista Community Foundation
- La Vista Lancer Soccer Club
- La Vista Youth
- La Vista Youth Baseball Association
- La Vista Youth Football and Cheer
- Monarch Youth Wrestling

**FISCAL IMPACT**

A \$2,500 permit fee is required of each applicant. Additionally, a tent permit fee of \$150, and an explosive materials storage permit fee of \$100 are required. The City has received a \$500 application deposit and the additional required permit fees from each of the applicants. For each permit issued, the remaining \$2,000 fireworks sales permit fee balance is due no later than noon on June 19, 2015.

**RECOMMENDATION**

All applicants have met the criteria as set forth in Municipal Code Section 111.17 and in the City Zoning regulations.

**BACKGROUND**

The Municipal Code Section 111.17 (A) states in part, that "Each year the City Council shall, by resolution, establish the maximum number of permits to be issued.

In September of 2006 a criteria/point system was created as part of the evaluation of the applications. There were no deductions to any of the applications based on this point system. Permits are subject to receipt of all appropriate application materials and compliance with recommendations made by City Staff.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ESTABLISHING THE MAXIMUM NUMBER OF FIREWORKS STANDS TO BE PERMITTED IN THE CITY OF LA VISTA FOR CALENDAR YEAR 2015.

WHEREAS, Section 111.17 and Section 111.18 of the Municipal Code establish criteria that must be met for the issuance of fireworks stand permits, and

WHEREAS, Section 111.17 (A) of the Municipal Code states in part that, "Each year the City Council shall, by resolution, establish the maximum number of permits to be issued."

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that the maximum number of fireworks stand permits to be issued in calendar year 2015 shall not exceed eight.

BE IT FURTHER RESOLVED, that per Section 111.17 (C) (10) of the Municipal Code, permit holders shall provide the City of La Vista with a certificate of insurance for their fireworks stand in the type and amount outlined.

BE IT FURTHER RESOLVED, that the written statement of income and expenses, which is required by Section 111.17 (C) (3) of the Municipal Code, be detailed and provide the City with a breakdown of specific expenditures related to the fireworks operation, income from the sale of fireworks, net profit, and specific community betterment expenditures.

BE IT FURTHER RESOLVED, that the issuance of a fireworks permit is conditional upon compliance with the Municipal Code, the Zoning Ordinance, and any other applicable regulations.

PASSED AND APPROVED THIS 21ST DAY OF APRIL, 2015.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FIREWORKS STAND PERMIT APPLICATION OF MONARCH YOUTH WRESTLING, LA VISTA YOUTH FOOTBALL AND CHEER, LA VISTA COMMUNITY FOUNDATION, LA VISTA YOUTH, LA VISTA LANCER SOCCER CLUB, LA VISTA YOUTH BASEBALL ASSOCIATION, CORNERSTONE CHURCH, AND BEAUTIFUL SAVIOR LUTHERAN CHURCH.

WHEREAS, the City of La Vista requires City approval of the sale of fireworks within the City limits, and

WHEREAS, the guidelines for application and sale of fireworks in La Vista are specified in the La Vista Municipal Code, Section 111.17 and Section 111.18; and

WHEREAS, eight (8) non-profit organizations have applied for permission to sell fireworks in the City of La Vista in conformance with the Municipal Code, the Zoning Ordinance and any other applicable regulations; and

WHEREAS, City staff has reviewed all applications received in 2015 for the purpose of determining which applications were compliant with the Municipal Code, the Zoning Ordinance or any other applicable regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby conditionally grant a permit to:

Monarch Youth Wrestling, La Vista Youth Football and Cheer, La Vista Community Foundation, La Vista Youth, La Vista Lancer Soccer Club La Vista Youth Baseball Association, Cornerstone Church, and Beautiful Savior Lutheran Church to sell fireworks within the City of La Vista for the 2015 calendar year subject to receipt of all appropriate application materials and compliance with recommendations made by the Chief Building Official regarding their site plan; compliance with the Municipal Code, the Zoning Ordinance and any other applicable regulations; and attendance by an official of the nonprofit organization which applied for the permit and a representative for their fireworks supplies at a meeting with City staff (date and time to be established).

PASSED AND APPROVED THIS 21ST DAY OF APRIL, 2015.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

CITY OF LA VISTA, NEBRASKA  
PERMIT APPLICATION  
SALE OF PERMISSIBLE FIREWORKS

Pursuant to §111.17 of the La Vista Municipal Code it shall be unlawful for any person to sell, hold for sale or offer for sale any permissible fireworks within the corporate limits of the City of La Vista unless such person has first obtained a permit. Only nonprofit organizations and associations using volunteer salespersons and which will use the net proceeds from the sale of fireworks for community betterment purposes within the City of La Vista shall be eligible for a permit.

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization Beautiful Savior Lutheran Church today's Date 12/9/14  
 Street Address 7706 S. 96th St  
 City La Vista State NE Zip 68128  
 Contact Person Scott Wollberg Phone (daytime) 402-331-7376 (evening) " "

**APPLICANT READ**

This permit application is used by the City Council to evaluate your organization's qualifications for a Fireworks Permit. Please answer all questions completely and accurately. Failure to submit the application pursuant to the deadlines contained herein or submission of an incomplete application may result in denial of a permit. The City is not responsible for determining whether your application is complete at the time of submission nor will you be allowed to submit additional information after the deadlines noted herein.

**To be eligible for City Council review, each application submittal must include the following in one packet:**

- ✓ Completed Permit Application Form and a \$500 permit application deposit fee received at City Hall, 8116 Park View Boulevard, La Vista, NE, 68128, no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday). If your permit is denied, \$400 of this fee will be refunded to your organization. If you are issued a permit, the remaining amount of the permit application fee as established in the Master Fee Ordinance will be due and payable to the City of La Vista no later than noon on June 21 of the permit year to receive permit.
- ✓ A site plan on 8 ½" x 11" paper which details the dimensions, location and distance between all proposed components of your group's fireworks stand (including but not limited to: tent, storage, garbage, portable restrooms, signs, parking, etc.) The site plan must be neat and legible, with an attempt made to show components as close to scale as possible.
- ✓ A signed statement from the land-owner where your proposed fireworks sales will occur, granting permission to your organization to utilize the property (written permission from retail store managers is not acceptable).
- ✓ The City of La Vista's *Accessory and Light Remodeling Permit* and the permit application fee as established in the Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday), for your tent (please note, no more than one tent is allowed). Your permit must note the proposed date and time of your site set up. Please contact the Chief Building Official for assistance in completing this permit. If your permit application is denied, this fee will be refunded.
- ✓ The City of La Vista's *Sign Permit* and the permit application fee per sign (maximum of four), as established in the Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday), for any and all temporary signage. (The size and location of signs must be in compliance with the City's zoning regulations regarding temporary signs.) Please contact the Chief Building Official for assistance in completing this permit. If your permit is denied, this fee will be refunded.
- ✓ The City of La Vista's *Explosive Materials Storage Permit* and the permit application fee as established in the

Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday). If your permit is denied, \$100 of this fee is refunded to your organization.

- ✓ A signed City of La Vista *Statement of Proposed Community Betterment Expenditures* from your organization describing in detail how net proceeds from the sale of fireworks will be used for Community Betterment in the City of La Vista must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday).
- ✓ If your organization has held a permit in any of the three (3) years preceding this application, a City of La Vista *Statement of Annual Income for Fireworks Sales* must be completed for each of the three years and received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday).
- ✓ If the permit is approved your organization will need to furnish to City Hall no later than noon on June 21st of the permit year an insurance certificate meeting the requirements outlined in City Code.
- ✓ If the permit is approved your organization will need to furnish to City Hall no later than noon on June 21st of the permit year, the balance of the permit fee in the amount of \$2,000 and a State Fire Marshal Certificate meeting the requirements outlined in City Code.

#### CERTIFICATION AND RELEASE

I certify that I have read and understand the "Applicant Read" paragraph on page one of this permit application and that all information, statements, materials and permits submitted as a part of this Permit Application are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information. I also understand that the use or sales of illegal fireworks is prohibited. I hereby further provide written assurance that this organization will file a certificate of insurance issued by an insurance company in good standing, authorized to do business in Nebraska, providing liability insurance in the amounts and for the coverages required by the City Council. I understand this certificate of insurance is a condition of issuance of the permit.

**PERMITS WILL NOT BE ISSUED UNTIL YOUR SITE HAS BEEN INSPECTED AND PASSED.**

Scott Wollberg  
Signature and Title of Organization Official

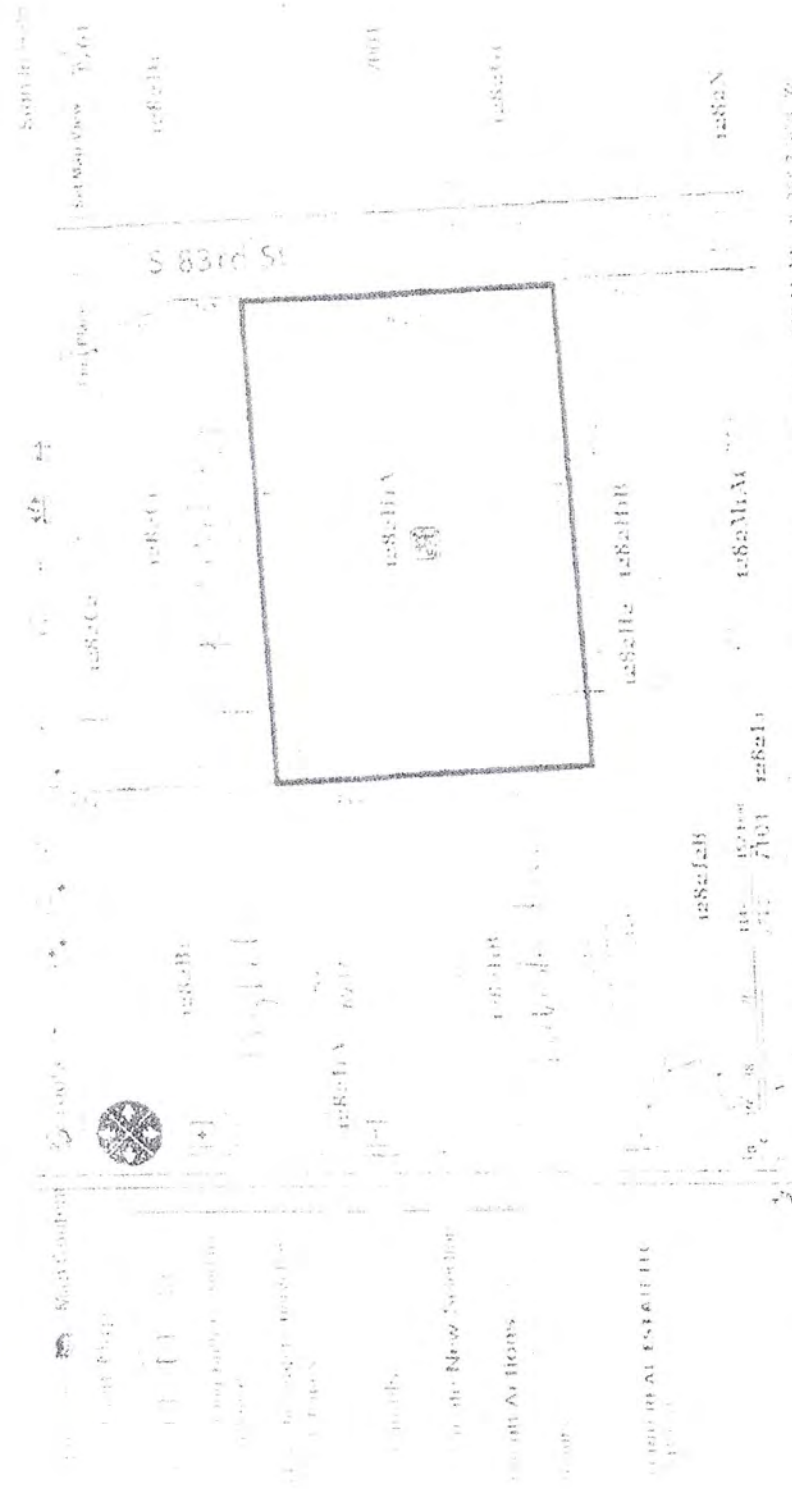
Scott Wollberg  
Printed Name of Organization Official

#### FOR CITY HALL USE ONLY

Date Received: \_\_\_\_\_ Received by: \_\_\_\_\_

- \$500 permit application deposit fee.
- Site Plan.
- A written statement of permission from the land-owner.
- The City of La Vista's *Accessory and Light Remodeling Permit* and \$150 permit application fee for Tent.
- The City of La Vista's *Sign Permit* application (maximum of four signs) and applicable fee.
- The City of La Vista's *Explosive Materials Storage Permit* and \$100 permit application fee.
- Statement of Proposed Community Betterment Expenditures.
- Three *Statements of Annual Income for Fireworks Sales*.
- Insurance certificate (due by 12:00 noon on June 19th).
- State Fire Marshal Certificate (due by 12:00 noon on June 19th).
- \$2,000 Permit Fee Balance (due by 12:00 noon on June 19th).





128211A, 128211B, 128211C, 128211D, 128211E, 128211F, 128211G, 128211H, 128211I, 128211J, 128211K, 128211L, 128211M, 128211N, 128211O, 128211P, 128211Q, 128211R, 128211S, 128211T, 128211U, 128211V, 128211W, 128211X, 128211Y, 128211Z



2015 Fireworks Stand  
Land Owner Permission Form  
City of La Vista, NE

I, Richard Bellino with La Vista Keno do hereby grant Wild Willys Fireworks, LLC permission to run and operate a fireworks stand on the property located at 7101 S. 84th St in La Vista, Nebraska from the dates of June 22<sup>nd</sup> through July 5<sup>th</sup> for the 2015 fireworks season.

Land Owners Signature: Richard Bellino Date: 12/14/14

Printed Name of Land Owner: Richard Bellino

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF PROPOSED COMMUNITY BETTERMENT EXPENDITURES

Pursuant to §111.17 of the La Vista Municipal Code, only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

PLEASE TYPE AND LIMIT STATEMENT TO THIS PAGE ONLY

Name of Nonprofit Organization Beautiful Savior Lutheran Church

State Sales Tax ID 1010138714

See Attached

CERTIFICATION AND RELEASE

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

Scott Wollberg  
Signature of Organization Official

Scott Wollberg  
Printed Name of Organization Official

Facilities Manager  
Title of Organization Official



### Statement of Proposed Community Betterment Expenditures

The Proceeds from the **2015** fireworks stand will be used in much the same manner they were used for in **2014**. All of the proceeds will be going to help fund three programs.

The first is assistance to the Tri-City Food Pantry that helps families in our community with food for their families.

The second is assistance to Parkview Elementary School with things that the teachers might need for their classrooms.

The third is our Giving Tree program which supplies food and gifts for needy families in the La Vista area, and also gifts to residents at the Grandville Villa Assisted Living center.

Beautiful Savior Lutheran Church

Scott Wollberg

CITY OF LA VISTA, NEBRASKA  
 STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
 IN PERMIT YEAR 2014

Pursuant to §111.17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization Beautiful Savior Lutheran Church

Annual Income \$ 29,501.89  
 Gross Fireworks Sales

<b>Expenses</b>		
Wholesale Cost of Fireworks (please provide copy of invoice)	\$ 12,890.87	
State Sales Tax	\$ 2,065.13	
Permit Fees:	\$ 2,750	
Local		
State	\$ 26.62	
Insurance	\$ 1,250	
Rent or Lease Expenses	—	
Advertising	\$ 1,200	
Miscellaneous (please describe)		
cash registers, bad debt		
• <u>Burning, Bags, Hobless + Product loss</u>	\$ 1,440.47	
<u>CC fees + Rental</u>	\$ 1,389	
• <u>Display bins, Plastic + cardboard</u>	\$ 455	
<u>Extension cords, Fire Extinguishers</u>	\$ 4,483.67	
• <u>Misc. Supplies (tape, tape guns, zip ties)</u>		
<u>Shopping baskets, Exit sign, signage</u>		
• <u>Tent/table/lights Rental, Hazmat</u>		
<u>Trailer Delivery</u>		
Total Expenses		\$ 28,500.76
Net Proceeds (profits)		\$ 1,001.13



# Wild Willy's Fireworks, LLC

[www.wildwillysfireworks.com](http://www.wildwillysfireworks.com) 402-253-2925

## Fireworks Invoice 2014

500g	\$2,158.93
200g	\$1,966.24
Fountain	\$785.64
Artillery	\$1,047.36
Firecrackers	\$1,236.54
Missiles	\$1,057.46
Parachutes	\$400.66
Roman Candles	\$578.96
Spinner/Flyers	\$887.54
Noveltys	\$1,028.39
Smoke	\$600.88
Assortments	\$1,075.85
Punk/Bags	\$66.42
	\$12,890.87

Customer Name: Beautiful Savior Lutheran Church  
Contact: Scott Wollberg  
Invoice Number: 2648  
Date: 7/13/2014



Permit Year 2014

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
IN PERMIT YEAR \_\_\_\_\_

Pursuant to §11-13 of the La Vista Municipal Code, only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

*Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.*

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization \_\_\_\_\_

Annual Income  
Gross Fireworks Sales \_\_\_\_\_

Expenses

Wholesale Cost of Fireworks (please provide copy of invoice)	_____
State Sales Tax	_____
Permit Fees	_____
Total	_____
State	_____
Insurance	_____
Rent or Lease Expenses	_____
Advertising	_____
Miscellaneous (please describe)	_____
• _____	_____
• _____	_____
• _____	_____
• _____	_____
Total Expenses	_____
Net Proceeds (profits)	_____

\*\*\*\*\*



# Wild Willy's Fireworks, LLC

www.wildwillysfireworks.com 402-253-2925

## Fireworks Invoice 2013

500g	\$2,158.93
200g	\$3,078.51
Fountain	\$986.76
Artillery	\$1,249.39
Firecrackers	\$1,288.87
Missiles	\$1,147.45
Parachutes	\$653.68
Roman Candles	\$578.96
Spinner/Flyers	\$887.54
Noveltys	\$2,067.89
Smoke	\$1,224.55
Assortments	\$1,746.27
Pink/Bags	\$66.42
	\$17,135.27

Customer Name  
Contact  
Invoice Number  
Date

Beautiful Savior Lutheran Church  
Scott Weiberg  
1846  
7/7/2013









# Wild Willy's Fireworks, LLC

www.wildwillysfireworks.com 462-753-7975

## Fireworks Invoice 2012

500g	\$2,217.58
200g	\$3,124.85
Fountain	\$1,068.74
Artillery	\$1,387.45
Firecrackers	\$1,147.01
Missiles	\$1,274.87
Parachutes	\$554.37
Roman Candles	\$578.96
Spinner/Flyers	\$741.23
Novelty's	\$2,218.91
Smoke	\$1,437.91
Assortments	\$1,429.36
Punk/bags	\$244.28
	\$17,475.52

Customer Name: Beautiful Savior Lutheran Church  
Contact: Scott Wollberg  
Invoice Number: 1429  
Date: 7/8/2012



Permit Year 2015

**CERTIFICATION AND RELEASE**

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

Scott Way  
Signature of Organization Official

Facilities manager  
Title of Organization Official

Scott Wollberg  
Printed Name of Organization Official

\_\_\_\_\_  
Signature of Organization Official

\_\_\_\_\_  
Printed Name of Organization Official

\_\_\_\_\_  
Title of Organization Official

City of La Vista  
 Community Development Department  
 8116 Park View Blvd  
 La Vista, NE 68133  
 (402) 331-4343

# SIGN PERMIT APPLICATION



(Please see other side for submittal requirements)

Street Address of Sign Location: 7101 S. 84th St

**Applicant Information**

Company Name: Beautiful Savior Lutheran Church Contact: Scott Wallberg

Address: 7706 S. 96th St City: La Vista State NE Zip 68128

Phone: 402-331-7376 Fax: \_\_\_\_\_ E-mail: scott@bslc.com

**Business/Organization (that is the subject of the sign)**

Company Name: Wild Willy's Fireworks, LLC Contact: Dan Williams

Address: 17105 S. Hwy 50 City: Springfield State NE Zip 68128

Phone: 402-253-2925 Fax: 402-253-3190 E-mail: eric@wildwillysfireworks.com

**Sign Type**

wild willy's Vinyl Sign

- Temporary Sign - Date(s) of display (required): June 25th - July 4th
- Wall Sign - Side of building displaying the sign: ( N S E W ) Width of this façade: \_\_\_\_\_ ft.
- Incidental/Directional Sign - Length of storefront: \_\_\_\_\_ ft.
- Monument - Setback from nearest property line: \_\_\_\_\_ ft.
- Center Identification - Setback from nearest property line: \_\_\_\_\_ ft.
- Common Signage Plan     Master Signage Plan     Other: Inflatable Edge

illumination:  None     Internal     External    Describe: \_\_\_\_\_

Number of lot sides abutting street: \_\_\_\_\_

Are any existing signs at this location to remain?     Yes     No

If yes, total number and types of signs at this business location: \_\_\_\_\_

**Sign Size**

Sign width 10' Sign height 3' Total square feet 30' Height from grade to top of sign 4 ft.

**Applicant's Signature**    \* Also an edge 30' tall + 10' wide

I believe that all of the information on this application and on drawings submitted in support of this application is accurate. I understand that any sign which is installed that is inconsistent or in conflict with this application, the supporting drawings, or the sign regulations contained in the City's Unified Development Ordinance is a violation of the City of La Vista municipal code. I further understand that the inadvertent approval of a sign application by the City that is not in compliance with the sign regulations does not create any legal nonconforming status nor does it remove any obligation to bring the sign into compliance. I understand that no sign shall be installed until a sign permit has been approved by the City of La Vista and the associated sign fee has been paid. Once a sign permit has been approved, all sign installation work must be completed in six months or the permit will expire.

Scott Wallberg  
 (Signature of Applicant)

12/1/14  
 (Date)

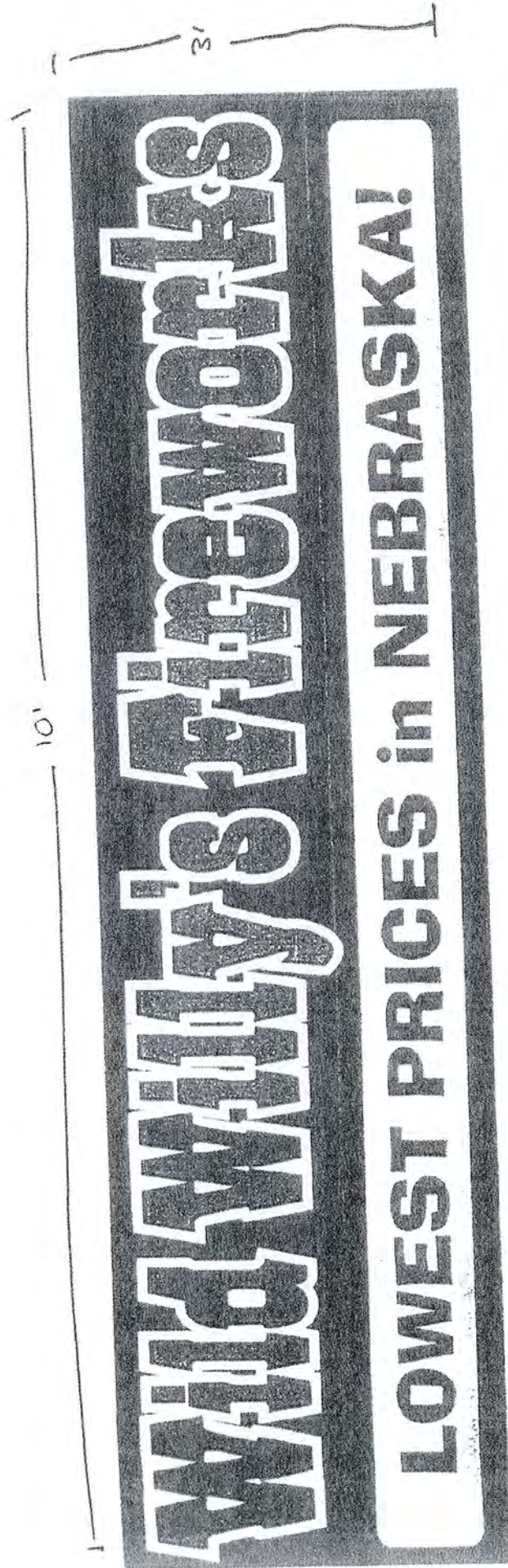
**Office Use Only**

Rec'd By	Date Rec'd	# of Temp Signs this Year	Zoning at Sign Site at site

Sign Permit Fee	Plan Fee	Total Fee

- Approved    Condition(s): \_\_\_\_\_
- Disapproved    Reason(s): \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_



Black Vinyl Sign



City of La Vista

Light Remodeling and Accessory Permit Application

8116 Park View Blvd, La Vista, NE 68128 Phone: 402-331-4343 Fax: 402-331-4375

The City is not responsible for permits taken out that were not allowable within your particular subdivision. We suggest that you consult your subdivision covenants before applying for permits. \*\* 2006 IRC (Int'l Residential Code) - Adopted Aug. 17, 2010\*\*

Date of Application \_\_\_\_\_ Mail Permit to: (circle) Contractor Owner: \_\_\_\_\_ Permit # \_\_\_\_\_

Project Address: 7101 S. 84th St Lot Number: 1282424 Subdivision \_\_\_\_\_ Is this a rental property: Yes ( ) No (X)

Print Applicant Name/Address: Beautiful Savior Lutheran Church 7706 S. 94th St. La Vista, NE 68128 Phone #: 402-331-7376

Print Owner Name/Address: Bellino Real Estate, LLC Phone #: 402-850-7376

Print Contractor Name/Address: Eric Clauson / Dan Williams 17105 S. Hwy 50, Springfield, NE 68059 Phone #: 402-253-2925

CALL BEFORE YOU DIG! UNDERGROUND HOT LINE 888-711-5866 or 811

FENCE: Height \_\_\_\_\_ Type: \_\_\_\_\_ Location \_\_\_\_\_ Est. Materials \$ \_\_\_\_\_ Fee: \$ \_\_\_\_\_

- Site plan required showing fence location, type and height
Fence posts must be set in concrete 24" minimum depth for wood and chain link
Fence location on or into fence owners property (may require survey).
All wood pickets or boards to face to the outside
Front yard fences need to be 12-1/2' from curb & no more than 4' high--open picket, split rail & chain link(2006 IRC)
Sideyard fences, on a corner lot, need to be 12-1/2' from the curb or off the right of way

SHED: Height \_\_\_\_\_ Type: \_\_\_\_\_ Location \_\_\_\_\_ Est. Materials \$ \_\_\_\_\_ Fee: \$ \_\_\_\_\_

- Site plan of property required showing shed location and spacing
Shed MUST BE located a minimum of 5 feet from the rear and side property line/s.
Concrete slab shed floor to have 1/2" dia. anchor bolts at max. 6'0" o.c. spacing for shed tie-down
Wood floors of sheds must be provided with 4 shed tie-downs anchors to meet city code
Maximum shed height 17', or less if restricted by local governing covenants (15').
Shed MUST BE located a minimum of 6'0" from any structure, or fire proofed to meet city code.

DECK: Type: \_\_\_\_\_ Location: \_\_\_\_\_ Est. Materials: \$ \_\_\_\_\_ Fee: \$ \_\_\_\_\_

- Site plan of property showing house and deck location and size
Deck drawing required showing the following:
a. Over-all deck size and stair location
b. Uncovered decks must be a distance of 15 feet from rear property lines; and, 5 feet from side property lines.
c. Decks must be 6 feet from any other detached structure
d. Post hole locations require 42" deep frost footings when attached to the house
e. Indicate size of wood beam on your drawing; and, know that column post sizes must be 6" x 6"
f. Indicate wood joist sizes and spacing measurement
g. Ledger beam attached to house with 1/2" dia. lag bolts that are 5" long (or equiv.) at 24" on center (staggered)
h. Galvanized joist hangers at ledger beam
i. Handrails to be 3'0" high with vertical spindle spacing not more than 4" apart
j. Stair detail as provided by City
k. Call for footing inspection once notes are dug, prior to filling. When project completed, call for final

CURB-CUT / DRIVEWAYS / SIDEWALK Curb Cut/Grind Width: \_\_\_\_\_ Driveway Width: \_\_\_\_\_ Driveway Length: \_\_\_\_\_ Fee: \$ \_\_\_\_\_ Sidewalk Length: \_\_\_\_\_ Concrete Depth: \_\_\_\_\_ Driveways must meet specifications of City Code & MUST be inspected before pouring

OTHER ACCESSORY PROJECTS - Roofing, Siding, Windows, etc. Describe Project: Tent for Fireworks Sales Estimated Materials \$ \_\_\_\_\_ Length: 40' Width: 80' # Door/s: 3 # Window/s: 0 Fee: \$ 150

Total of all FEES DUE: \$ 150

Applicant certifies that this information has been read, understood and that projects will be constructed in compliance with all city ordinances; that all information is correct; and, that inspections will be requested.

Please phone 24 hours in advance for a final on all projects and any other inspections as noted above.

Signature of Applicant: [Signature] Date: 12/1/14

Approved By City Official: \_\_\_\_\_ Permit Clerk \_\_\_\_\_ Date of Approval: \_\_\_\_\_



CITY OF LA VISTA, NEBRASKA  
PERMIT APPLICATION EXPLOSIVE MATERIALS STORAGE

Pursuant to §91.46 of the La Vista Municipal Code any person desiring to store or keep for any period of time explosive materials defined in Neb. RS 28-1213, shall file with the City Clerk an application for an explosive material storage permit.

PLEASE TYPE OR PRINT CLEARLY

Name of Applicant Dan Williams Today's Date 12/9/14

Age of Applicant 45

Street Address 7913 Hidden Valley Dr

City Papillion State NE Zip 68046

Phone (daytime) 402-740-2202 (evening) \_\_\_\_\_

Name of Employer Wild Willy's Fireworks, LLC

Street Address of Employer 17105 S. Hwy 50

City Springfield State NE Zip 68059

Have you been instructed in the use of Explosives  yes  no

If yes, by whom? See attached

What type of instruction Safety + Regulation of 1.4g @ storage + transportation

Date of instruction September 2010 Length of time of instruction 10 Hours

List your experience in the use of explosives, giving three distinct examples of the type and usage you have personally done

Have been lighting 1.3g + 1.4g explosives for 20 years.  
Combined Shows for the city of Springfield. Sappy Fair  
board + Springfield Days Multiple Demo shoots of 1.4g

List the type of explosives you have been trained on and used All consumer grade

fireworks

Enclose copies of any training certificate, explosive permits from other states or other pertinent documentation.

CERTIFICATION AND RELEASE

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

Dan Williams  
Signature of Applicant

Scott Williams  
Printed Name of Applicant

Date Received: 1/1/14

FOR CITY HALL USE ONLY

Received by: \_\_\_\_\_

\$100 permit application fee.

Willie Willy's Fireworks  
7917 Hidden Valley Drive  
Papillion, NE 68046  
Ph: 402-998-2202  
Fax: 402-998-7628

#### Experience

Avid pyrotechnician with over 20 years of experience

Current Member PGI - (Pyrotechnics Guild International)

Current Member NFA (National Fireworks Association)

CPSC Seminar - (Consumer Product Safety Commission) - Fireworks safety and compliance seminar at PGI-2009

DOT Training Sept 2007 - Completed 30-hour course in the storage and transportation of hazardous materials (1.4G fireworks) - including proper handling and disposal of misused products, and compliance with DOT regulations

Permit Year 2015

CITY OF LA VISTA, NEBRASKA  
PERMIT APPLICATION  
SALE OF PERMISSIBLE FIREWORKS

Pursuant to §111.17 of the La Vista Municipal Code it shall be unlawful for any person to sell, hold for sale or offer for sale any permissible fireworks within the corporate limits of the City of La Vista unless such person has first obtained a permit. Only nonprofit organizations and associations using volunteer salespersons and which will use the net proceeds from the sale of fireworks for community betterment purposes within the City of La Vista shall be eligible for a permit.

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization Cornerstone Church Today's Date 12/11/14  
Street Address 9505 Harrison Street  
City La Vista State NE Zip 68128  
Contact Person Jim Hayes, Pastor Phone (daytime) 402-592-1226 (evening) 402-490-2246

APPLICANT READ

This permit application is used by the City Council to evaluate your organization's qualifications for a Fireworks Permit. Please answer all questions completely and accurately. Failure to submit the application pursuant to the deadlines contained herein or submission of an incomplete application may result in denial of a permit. The City is not responsible for determining whether your application is complete at the time of submission nor will you be allowed to submit additional information after the deadlines noted herein.

To be eligible for City Council review, each application submittal must include the following in one packet:

- ✓ Completed Permit Application Form and a \$500 permit application deposit fee received at City Hall, 8116 Park View Boulevard, La Vista, NE, 68128, no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday). If your permit is denied, \$400 of this fee will be refunded to your organization. If you are issued a permit, the remaining amount of the permit application fee as established in the Master Fee Ordinance will be due and payable to the City of La Vista no later than noon on June 21 of the permit year to receive permit.
- ✓ A site plan on 8 ½ " x 11" paper which details the dimensions, location and distance between all proposed components of your group's fireworks stand (including but not limited to: tent, storage, garbage, portable restrooms, signs, parking, etc.) The site plan must be neat and legible, with an attempt made to show components as close to scale as possible.
- ✓ A signed statement from the land-owner where your proposed fireworks sales will occur, granting permission to your organization to utilize the property (written permission from retail store managers is not acceptable).
- ✓ The City of La Vista's *Accessory and Light Remodeling Permit* and the permit application fee as established in the Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday), for your tent (please note, no more than one tent is allowed). Your permit must note the proposed date and time of your site set up. Please contact the Chief Building Official for assistance in completing this permit. If your permit application is denied, this fee will be refunded.
- ✓ The City of La Vista's *Sign Permit* and the permit application fee per sign (maximum of four), as established in the Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday), for any and all temporary signage. (The size and location of signs must be in compliance with the City's zoning regulations regarding temporary signs.) Please contact the Chief Building Official for assistance in completing this permit. If your permit is denied, this fee will be refunded.
- ✓ The City of La Vista's *Explosive Materials Storage Permit* and the permit application fee as established in the

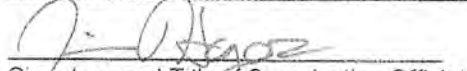
Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday). If your permit is denied, \$100 of this fee is refunded to your organization.

- ✓ A signed City of La Vista *Statement of Proposed Community Betterment Expenditures* from your organization describing in detail how net proceeds from the sale of fireworks will be used for Community Betterment in the City of La Vista must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday).
- ✓ If your organization has held a permit in any of the three (3) years preceding this application, a City of La Vista *Statement of Annual Income for Fireworks Sales* must be completed for each of the three years and received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday).
- ✓ If the permit is approved your organization will need to furnish to City Hall no later than noon on June 21st of the permit year an insurance certificate meeting the requirements outlined in City Code.
- ✓ If the permit is approved your organization will need to furnish to City Hall no later than noon on June 21st of the permit year, the balance of the permit fee in the amount of \$2,000 and a State Fire Marshal Certificate meeting the requirements outlined in City Code.

#### CERTIFICATION AND RELEASE

I certify that I have read and understand the "Applicant Read" paragraph on page one of this permit application and that all information, statements, materials and permits submitted as a part of this Permit Application are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information. I also understand that the use or sales of illegal fireworks is prohibited. I hereby further provide written assurance that this organization will file a certificate of insurance issued by an insurance company in good standing, authorized to do business in Nebraska, providing liability insurance in the amounts and for the coverages required by the City Council. I understand this certificate of insurance is a condition of issuance of the permit.

**PERMITS WILL NOT BE ISSUED UNTIL YOUR SITE HAS BEEN INSPECTED AND PASSED.**

  
Signature and Title of Organization Official

Jim Hayes - Pastor  
Printed Name of Organization Official

#### FOR CITY HALL USE ONLY

Date Received: \_\_\_\_\_ Received by: \_\_\_\_\_

- \$500 permit application deposit fee.
- Site Plan.
- A written statement of permission from the land-owner.
- The City of La Vista's *Accessory and Light Remodeling Permit* and \$150 permit application fee for Tent.
- The City of La Vista's *Sign Permit* application (maximum of four signs) and applicable fee.
- The City of La Vista's *Explosive Materials Storage Permit* and \$100 permit application fee.
- Statement of Proposed Community Betterment Expenditures.
- Three *Statements of Annual Income for Fireworks Sales*.
- Insurance certificate (due by 12:00 noon on June 19th).
- State Fire Marshal Certificate (due by 12:00 noon on June 19th).
- \$2,000 Permit Fee Balance (due by 12:00 noon on June 19th).

- ① All signs are 25' off the property line
- ② All inventory storage, trash + portable Restrooms are 25' from tent.
- ③ Fireworks tent + storage are 50' from any buildings + 25' from any property line.

32' x 10'  
vinyl sign  
secured  
by posts

West Giles Rd

25'  
Inventory  
Trailer  
25' from  
Inventory  
Storage



# Site Plan

Stearns County, Nebraska



Disclaimer: This document is not a contract. It is a site plan showing the proposed location of signs and other structures. It is not intended to be used for zoning or other regulatory purposes. The user should consult the local zoning ordinance for all applicable rules and regulations.

Map Scale  
1 inch = 290 feet

1/11/2011

1. ALL SIGNS 25' FROM PROPERTY LINES

Fireworks Tent & Storage are 50' from any Building 25' from any right way

2015 Fireworks Stand  
Land Owner Permission Form  
City of La Vista, NE

I, JOHN PINK with PINK GRADING INC do hereby grant Wild Willys Fireworks, LLC permission to run and operate a fireworks stand on the property located at WEST GILES - LAVISTA in La Vista, Nebraska from the dates of June 22<sup>nd</sup> through July 5<sup>th</sup> for the 2015 fireworks season.

Land Owners Signature:

John W Pink

Date:

12/10/14

Printed Name of Land Owner:

JOHN W PINK

**CITY OF LA VISTA, NEBRASKA  
STATEMENT OF PROPOSED COMMUNITY BETTERMENT EXPENDITURES**

Pursuant to §111.17 of the La Vista Municipal Code, only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

**PLEASE TYPE AND LIMIT STATEMENT TO THIS PAGE ONLY**

Name of Nonprofit Organization Cornerstone Church

State Sales Tax ID 01-010720391

Cornerstone Church has been an active and outstanding member and contributor to the City of La Vista for over 25 years. Located on the southeast corner of 98<sup>th</sup> & Harrison it has provided an excellent location for local baseball teams to play baseball. Cornerstone has a baseball field located on it's Property and has donated this field to many La Vista little league teams to use at their convenience. Cornerstone would like to utilize some of the proceeds that it will receive to maintain the integrity of this baseball field so that it can continue to be enjoyed by the La Vista baseball community for many years to come.

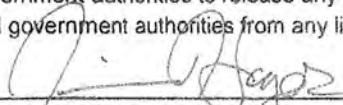
Cornerstone has also participated in 9<sup>th</sup> inning Ministries which promotes Christian Values and encourages personal responsibility. This ministry has helped a countless number of La Vista and other regional youth in setting a course of positive behavior and dedication in their lives.

Cornerstone has participated in numerous prayer gatherings and organized community events every year in the City of La Vista.

Cornerstone, as well as many local businesses, have felt the impact of this current recession. Having the opportunity of being able to raise additional funds through firework sales could make the difference in keeping the programs that Cornerstone has and will participate in a viable option for the future.

**CERTIFICATION AND RELEASE**

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

  
Signature of Organization Official

Sim Hayes  
Printed Name of Organization Official

Pastor  
Title of Organization Official



CITY OF LA VISTA, NEBRASKA  
 STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
 IN PERMIT YEAR 2014

Pursuant to §111.17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization Cornerstone Church

Annual Income  
 Gross Fireworks Sales \$84,939.13

Expenses		
Wholesale Cost of Fireworks (please provide copy of invoice)	<u>\$49,255.13</u>	
State Sales Tax	<u>\$5,945.74</u>	
Permit Fees:		
Local	<u>\$2,750</u>	
State	<u>\$26.62</u>	
Insurance	<u>\$1,250</u>	
Rent or Lease Expenses	<u>\$6,500</u>	
Advertising	<u>\$1,200</u>	
Miscellaneous (please describe)		
Bunting, Cash Reg. Rental		
• CC fees, chargebacks, wireless fee	<u>\$3,521.93</u>	
• Dumpster, electrical setup + usage	<u>\$1,462</u>	
• Extension cords, Fire Extinguishers	<u>\$495</u>	
• Porta Potty, Security Fencing	<u>\$4,683.67</u>	
• Baskets, Signage, Portable Supplies		
• Tables, Tent, Lights, Rental of		
• Semi-trailer + Hazmat delivery + pickup		
Total Expenses		<u>\$77,090.09</u>
Net Proceeds (profits)		<u>\$7,849.04</u>

\*\*\*\*\*



# Wild Willy's Fireworks, LLC

[www.wildwillysfireworks.com](http://www.wildwillysfireworks.com) 402-253-2925

## Fireworks Invoice 2014

500g	\$7,127.24
200g	\$3,874.57
Fountain	\$1,677.31
Artillery	\$4,788.36
Firecrackers	\$1,577.74
Missiles	\$2,019.11
Parachutes	\$1,858.25
Roman Candles	\$2,135.52
Spinner/Flyers	\$3,886.64
Novelty's	\$6,254.96
Smoke	\$4,781.44
Assortments	\$8,635.52
Punk/Bags	\$638.47
	\$49,255.13

Customer Name:

Contact:

Invoice Number:

Date:

Cornerstone Church

Jim Hayes

2687

7/14/2014

Permit Year 2015

Annual Expenditures of Net Proceeds

Date	Project Description or Event & Who Participated	Location	Cost
7/14/14	Summer Carnival - church hosted a community carnival including games, activities & Food	9505 Harrison	\$1,949.04
11/14	Wellness Clinic - Provide a wellness clinic at no cost to area residents. The clinic promoted healthy living for children. The clinic was promoted in several area daycares.	9505 Harrison	\$2,700
Ongoing	Baseball Field - We provide (at no cost) our field to local area teams & leagues. Costs are associated (but not limited too) field maintenance.	9505 Harrison	\$3,200
Total Community Betterment Expenditures			\$7,849.04

Please detail costs associated with projects and/or events.

Permit Year 2014

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
IN PERMIT YEAR 2014

Pursuant to §111.17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization La Vista Fire Dept

Annual Income  
Gross Fireworks Sales \$5,251.95

Expenses

Wholesale Cost of Fireworks \$2,435.98  
(please provide copy of invoice)  
State Sales Tax \$3,867.27  
Permit Fees  
Local \$2,750  
State \$0

Insurance \$1,250

Rent or Lease Expenses \$1,500

Advertising \$250

Miscellaneous (please describe) [Redacted]

• [Redacted] \$3,217.50

• [Redacted] \$2,100

• [Redacted] \$690

• [Redacted] \$1,250

Total Expenses \$9,576.13

Net Proceeds (profits) \$5,675.82

\*\*\*\*\*



# Wild Willy's Fireworks, LLC

www.wildwillysfireworks.com 402.253.2925

## Fireworks Invoice 2013

500g	\$2,874.28
200g	\$3,248.21
Fountain	\$1,782.73
Artillery	\$1,749.81
Firecrackers	\$984.47
Missiles	\$1,691.36
Parachutes	\$986.48
Roman Candles	\$874.98
Spinner/Flyers	\$1,697.46
Noveltys	\$4,017.38
Smoke	\$2,997.84
Assortments	\$4,082.51
Punk/Bags	\$638.47
	\$27,625.98

Customer Name: Cornerstone Church  
Contact: Jim Hayes  
Invoice Number: 1993  
Date: 7/17/2013

Annual Expenditures of Net Proceeds

Date	Project Description or Event & Who Participated	Location	Cost
Ongoing	Baseball Field We provide (at no cost) our field to local area teams & leagues. Costs are associated (but not limited to) field maintenance.	9505 Harrison St	\$3,000
11/29/13	Wellness Clinic - Provide a wellness clinic (at no cost) to area residents. The clinic promoted healthy living for children. The clinic was promoted in several area day cares.	9505 Harrison	\$500
6/21/13	Car Show - Hosted a community car show (at no cost) We provided food and prizes for participants and spectators.	9505 Harrison	\$500

\$5,700

Total Community Betterment Expenditures

(Please detail costs associated with projects and/or events)

Annual Expenditures of Not Proceeds

Date	Project Description of Event & Who Participated	Location	Cost
Ongoing	96th St cleanup. This is an ongoing activity with our Girls in Action group. The group walks both sides of 96th between Harrison & Giles to pick up trash. This is done once a month (weather permitting).	96th St	\$ 500
7/13/13	Summer Carnival. The church hosted a community carnival. The carnival included games, activities, and food.	96th Harrison	\$ 1,200

Total Community Government Expenditures

\$ 1,700

Permit Year 2013

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
IN PERMIT YEAR \_\_\_\_\_

Pursuant to §111.17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

*Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.*

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization \_\_\_\_\_

Annual Income

Gross Fireworks Sales \_\_\_\_\_

Expenses

Wholesale Cost of Fireworks \_\_\_\_\_

(please provide copy of invoice)

State Sales Tax \_\_\_\_\_

Permit Fees \_\_\_\_\_

Local \_\_\_\_\_

State \_\_\_\_\_

Insurance \_\_\_\_\_

Rent or Lease Expenses \_\_\_\_\_

Advertising \_\_\_\_\_

Miscellaneous (please describe) \_\_\_\_\_

• \_\_\_\_\_

• \_\_\_\_\_

• \_\_\_\_\_

• \_\_\_\_\_

Total Expenses \_\_\_\_\_

Net Proceeds (profits) \_\_\_\_\_

\*\*\*\*\*





# Wild Willy's Fireworks, LLC

www.wildwillysfireworks.com 402.253.2925

## Fireworks Invoice 2012

500#	\$3,269.67
200#	\$4,178.14
Fountain	\$1,884.73
Artillery	\$1,425.58
Firecrackers	\$984.47
Missiles	\$1,447.24
Parachutes	\$741.54
Roman Candles	\$874.98
Spinner/Flyers	\$1,445.26
Novelty's	\$1,555.54
Smoke	\$2,477.51
Assortments	\$1,874.27
Punk/Bags	\$686.07
	\$24,845.00

Customer Name: Cornerstone Church

Contact: Jim Hayes

Invoice Number: 1427

Date: 7/9/2012



Permit Year 2015

CERTIFICATION AND RELEASE

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

  
\_\_\_\_\_  
Signature of Organization Official

Jim Hayes  
\_\_\_\_\_  
Printed Name of Organization Official

Pastor  
\_\_\_\_\_  
Title of Organization Official

\_\_\_\_\_  
Signature of Organization Official

\_\_\_\_\_  
Printed Name of Organization Official

\_\_\_\_\_  
Title of Organization Official

City of La Vista  
 Community Development Department  
 8116 Park View Blvd  
 La Vista, NE 68133  
 (402) 331-4343

# SIGN PERMIT APPLICATION



(Please see other side for submittal requirements)

Street Address of Sign Location: 12501 West Giles Rd. Lot #2

**Applicant Information**

Company Name: Cornerstone Church Contact: Jim Hayes  
 Address: 9509 Harrison St City: La Vista State NE Zip 68128  
 Phone: 402-592-1226 Fax: \_\_\_\_\_ E-mail: pastorjim@cornerstonela.com

**Business/Organization (that is the subject of the sign)**

Company Name: Big Red Fireworks Contact: Eric Clauson  
 Address: 17105 S. Hwy 50 City: Springfield State NE Zip 68059  
 Phone: 402-263-2425 Fax: 402-253-3140 E-mail: eric.j.clauson@gmail.com

**Sign Type**

- Temporary Sign - Date(s) of display (required): Temporary Vinyl Sign - June 23rd, 2015 - July 5th 2014
- Wall Sign - Side of building displaying the sign: ( N S E W ) Width of this façade: \_\_\_\_\_ ft.
- Incidental/Directional Sign - Length of storefront: \_\_\_\_\_ ft.
- Monument - Setback from nearest property line: \_\_\_\_\_ ft.
- Center Identification - Setback from nearest property line: \_\_\_\_\_ ft.
- Common Signage Plan     Master Signage Plan     Other: \_\_\_\_\_

Illumination:     None     Internal     External    Describe: \_\_\_\_\_

Number of lot sides abutting street: 0

Are any existing signs at this location to remain?     Yes     No

If yes, total number and types of signs at this business location: \_\_\_\_\_

**Sign Size**

Sign width 10' Sign height 3.2' Total square feet 32 Height from grade to top of sign 210 ft.

**Applicant's Signature**

I believe that all of the information on this application and on drawings submitted in support of this application is accurate. I understand that any sign which is installed that is inconsistent or in conflict with this application, the supporting drawings, or the sign regulations contained in the City's Unified Development Ordinance is a violation of the City of La Vista municipal code. I further understand that the inadvertent approval of a sign application by the City that is not in compliance with the sign regulations does not create any legal nonconforming status nor does it remove any obligation to bring the sign into compliance. I understand that no sign shall be installed until a sign permit has been approved by the City of La Vista and the associated sign fee has been paid. Once a sign permit has been approved, all sign installation work must be completed in six months or the permit will expire.

[Signature]  
 (Signature of Applicant)

12/11/14  
 (Date)

**Office Use Only**

Rec'd By	Date Rec'd	# of Temp Signs this Year	Zoning at Sign Site at site

Sign Permit Fee	Plan Fee	Total Fee

- Approved    Condition(s): \_\_\_\_\_
- Disapproved    Reason(s): \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

**BIG RED FIREWORKS**

**HUGE DISCOUNTS**

**BIG RED FIREWORKS**

**HUGE DISCOUNTS**

12501 West Giles Road

Sarpy County, Nebraska



Disclaimer: This data is for informational purposes only and is not intended to be used as a basis for any legal action or for zoning district verification. The user assumes all liability for any use of this information.

Map Scale  
1 inch = 290 feet

1/11/2011

50' ft from any

+ 25' ft from any right of way



City of La Vista

Light Remodeling and Accessory Permit Application

8116 Park View Blvd, La Vista, NE 68128 Phone: 402-331-4343 Fax: 402-331-4375

This city is not responsible for permits taken out that were not allowable within your particular subdivision. We suggest that you consult your subdivision covenants before applying for permits.

\*\* 2006 IRC (Int'l Residential Code) - Adopted Aug. 17, 2010\*\*

Date of Application \_\_\_\_\_ Mail Permit to: (circle) Contractor Owner: \_\_\_\_\_ Permit # \_\_\_\_\_

Project Address: 12501 W. Giles Rd
Lot Number: 2 Subdivision: Gary & Debbie Pink #2 Is this a rental property: Yes No

Print Applicant Name/Address: Cornerstone Church, 9505 Harrison St.
La Vista, NE 68128 Phone #: 402-592-1226

Print Owner Name/Address: Big Red Fireworks, LLC - Eric Clauson
17105 S. Hwy 50, Springfield, NE 68059 Phone #: 402-253-2925

Print Contractor Name/Address: Fund Ways Inc. 4990 G St.
Omaha, NE 68117 Phone #: 402-734-8880

CALL BEFORE YOU DIG! UNDERGROUND HOT LINE 888-711-5666 or 811

FENCE: Height: \_\_\_\_\_ Type: \_\_\_\_\_ Location: \_\_\_\_\_ Est Materials \$ \_\_\_\_\_ Fee: \$ \_\_\_\_\_

- Site plan required showing fence location, type and height
Fence posts must be set in concrete 24" minimum depth for wood and chain link
Fence location on or into fence owners property (may require survey).
All wood pickets or boards to face to the outside
Front yard fences need to be 12-1/2' from curb & no more than 4' high--open picket, split rail & chain link(2006 IRC)
Sideyard fences, on a corner lot, need to be 12-1/2' from the curb or off the right of way

SHED: Height: \_\_\_\_\_ Type: \_\_\_\_\_ Location: \_\_\_\_\_ Est Materials \$ \_\_\_\_\_ Fee: \$ \_\_\_\_\_

- Site plan of property required showing shed location and spacing
Shed MUST BE located a minimum of 5 feet from the rear and side property line/s.
Concrete slab shed floor to have 1/2" dia. anchor bolts at max. 6'0" o.c. spacing for shed tie-down
Wood floors of sheds must be provided with 4 shed tie-downs anchors to meet city code
Maximum shed height 17', or less if restricted by local governing covenants (15').
Shed MUST BE located a minimum of 6'0" from any structure, or fire proofed to meet city code.

DECK: Type: \_\_\_\_\_ Location: \_\_\_\_\_ Est. Materials \$ \_\_\_\_\_ Fee: \$ \_\_\_\_\_

- Site plan of property showing house and deck location and size
Deck drawing required showing the following:
a. Over-all deck size and stair location
b. Uncovered decks must be a distance of 15 feet from rear property lines; and, 5 feet from side property lines.
c. Decks must be 6 feet from any other detached structure
d. Post hole locations require 42" deep frost footings when attached to the house
e. Indicate size of wood beam on your drawing; and, know that column post sizes must be 6" x 6"
f. Indicate wood joist sizes and spacing measurement
g. Ledger beam attached to house with 1/2" dia. lag bolts that are 5" long (or equiv.) at 24" on center (staggered)
h. Galvanized joist hangers at ledger beam
i. Handrails to be 3'0" high with vertical spindle spacing not more than 4" apart
j. Stair detail as provided by City
k. Call for footing inspection once holes are dug, prior to filling. When project completed, call for final.

CURB-CUT / DRIVEWAYS / SIDEWALK

Curb Cut/Grind Width: \_\_\_\_\_ Driveway Width: \_\_\_\_\_ Driveway Length: \_\_\_\_\_
Sidewalk Length: \_\_\_\_\_ Concrete Depth: \_\_\_\_\_ Fee: \$ \_\_\_\_\_

Driveways must meet specifications of City Code & MUST be inspected before pouring

OTHER ACCESSORY PROJECTS - Roofing, Siding, Windows, etc.

Describe Project: Temporary Fireworks Tent for Sale Estimated Materials: \$ \_\_\_\_\_
Length: 80' Width: 40' # Door/s: 3 exits # Window/s: \_\_\_\_\_ Fee: \$ 150

Total of all FEES DUE: \$ \_\_\_\_\_

Applicant certifies that this information has been read, understood and that projects will be constructed in compliance with all city ordinances; that all information is correct; and, that inspections will be requested.

Please phone 24 hours in advance for a final on all projects and any other inspections as noted above.

Signature of Applicant: [Signature] Date: 12/11/14

Approved By City Official: \_\_\_\_\_ Permit Clerk \_\_\_\_\_
Date of Approval: \_\_\_\_\_

CITY OF LA VISTA, NEBRASKA  
PERMIT APPLICATION EXPLOSIVE MATERIALS STORAGE

Pursuant to §91.46 of the La Vista Municipal Code any person desiring to store or keep for any period of time explosive materials defined in Neb. RS 28-1213, shall file with the City Clerk an application for an explosive material storage permit.

PLEASE TYPE OR PRINT CLEARLY

Name of Applicant Cornerstone Church Today's Date 12/11/2014

Age of Applicant 54

Street Address 9505 Harrison St

City La Vista State NE Zip 68128

Phone (daytime) 402-592-1226 (evening) 402-490-2246

Name of Employer Big Red Fireworks, LLC

Street Address of Employer 17105 S. Hwy 50

City Springfield State NE Zip 68509

Have you been instructed in the use of Explosives  yes  no

If yes, by whom? Dan Williams - Wild Willy's Fireworks - wholesaler

What type of instruction 1.4g Consumer Fireworks Storage Procedures

Date of instruction 2011, 2012, 2013 various times Length of time of instruction 3-5 hours each session

List your experience in the use of explosives, giving three distinct examples of the type and usage you have personally done

Sales & Distribution of class 'C' fireworks from 2009-2013 in the City of La Vista, Omaha & Papillion. - No Violations

List the type of explosives you have been trained on and used All 1.4g class 'C'

Consumer Fireworks

Enclose copies of any training certificate, explosive permits from other states or other pertinent documentation.

CERTIFICATION AND RELEASE

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

[Signature]  
Signature of Applicant

Jim Hayes  
Printed Name of Applicant

FOR CITY HALL USE ONLY

Date Received: \_\_\_\_\_

Received by: \_\_\_\_\_

\$100 permit application fee.



**CITY OF LA VISTA, NEBRASKA  
PERMIT APPLICATION  
SALE OF PERMISSIBLE FIREWORKS**

Pursuant to §111.17 of the La Vista Municipal Code it shall be unlawful for any person to sell, hold for sale or offer for sale any permissible fireworks within the corporate limits of the City of La Vista unless such person has first obtained a permit. Only nonprofit organizations and associations using volunteer salespersons and which will use the net proceeds from the sale of fireworks for community betterment purposes within the City of La Vista shall be eligible for a permit.

**PLEASE TYPE OR PRINT CLEARLY**

Name of Nonprofit Organization LaVista Community Foundation Today's Date 1/9/2015

Street Address 8116 Parkview Blvd.

City La Vista State NE Zip 68128

Contact Person Leah Hoins Phone (daytime) (402) 547-6716 (evening) \_\_\_\_\_

*402 960-9625 (Foundation)*

**APPLICANT READ**

This permit application is used by the City Council to evaluate your organization's qualifications for a Fireworks Permit. Please answer all questions completely and accurately. Failure to submit the application pursuant to the deadlines contained herein or submission of an incomplete application may result in denial of a permit. The City is not responsible for determining whether your application is complete at the time of submission nor will you be allowed to submit additional information after the deadlines noted herein.

**To be eligible for City Council review, each application submittal must include the following in one packet:**

- ✓ Completed Permit Application Form and a \$500 permit application deposit fee received at City Hall, 8116 Park View Boulevard, La Vista, NE, 68128, no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday). If your permit is denied, \$400 of this fee will be refunded to your organization. If you are issued a permit, the remaining amount of the permit application fee as established in the Master Fee Ordinance will be due and payable to the City of La Vista no later than noon on June 21 of the permit year to receive permit.
- ✓ A site plan on 8 ½" x 11" paper which details the dimensions, location and distance between all proposed components of your group's fireworks stand (including but not limited to: tent, storage, garbage, portable restrooms, signs, parking, etc.) The site plan must be neat and legible, with an attempt made to show components as close to scale as possible.
- ✓ A signed statement from the land-owner where your proposed fireworks sales will occur, granting permission to your organization to utilize the property (written permission from retail store managers is not acceptable).
- ✓ The City of La Vista's *Accessory and Light Remodeling Permit* and the permit application fee as established in the Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday), for your tent (please note, no more than one tent is allowed). Your permit must note the proposed date and time of your site set up. Please contact the Chief Building Official for assistance in completing this permit. If your permit application is denied, this fee will be refunded.
- ✓ The City of La Vista's *Sign Permit* and the permit application fee per sign (maximum of four), as established in the Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday), for any and all temporary signage. (The size and location of signs must be in compliance with the City's zoning regulations regarding temporary signs.) Please contact the Chief Building Official for assistance in completing this permit. If your permit is denied, this fee will be refunded.

✓ The City of La Vista's *Explosive Materials Storage Permit* and the permit application fee as established in the

Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday). If your permit is denied, \$100 of this fee is refunded to your organization.

- ✓ A signed City of La Vista *Statement of Proposed Community Betterment Expenditures* from your organization describing in detail how net proceeds from the sale of fireworks will be used for Community Betterment in the City of La Vista must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday).
- ✓ If your organization has held a permit in any of the three (3) years preceding this application, a City of La Vista *Statement of Annual Income for Fireworks Sales* must be completed for each of the three years and received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday).
- ✓ If the permit is approved your organization will need to furnish to City Hall no later than noon on June 21st of the permit year an insurance certificate meeting the requirements outlined in City Code.
- ✓ If the permit is approved your organization will need to furnish to City Hall no later than noon on June 21st of the permit year, the balance of the permit fee in the amount of \$2,000 and a State Fire Marshal Certificate meeting the requirements outlined in City Code.

### CERTIFICATION AND RELEASE

I certify that I have read and understand the "Applicant Read" paragraph on page one of this permit application and that all information, statements, materials and permits submitted as a part of this Permit Application are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information. I also understand that the use or sales of illegal fireworks is prohibited. I hereby further provide written assurance that this organization will file a certificate of insurance issued by an insurance company in good standing, authorized to do business in Nebraska, providing liability insurance in the amounts and for the coverages required by the City Council. I understand this certificate of insurance is a condition of issuance of the permit.

**PERMITS WILL NOT BE ISSUED UNTIL YOUR SITE HAS BEEN INSPECTED AND PASSED.**

Shak P. Hains  
Signature and Title of Organization Official

Leah C. Hains - Executive Director  
Printed Name of Organization Official

La Vista Comm. Foundation

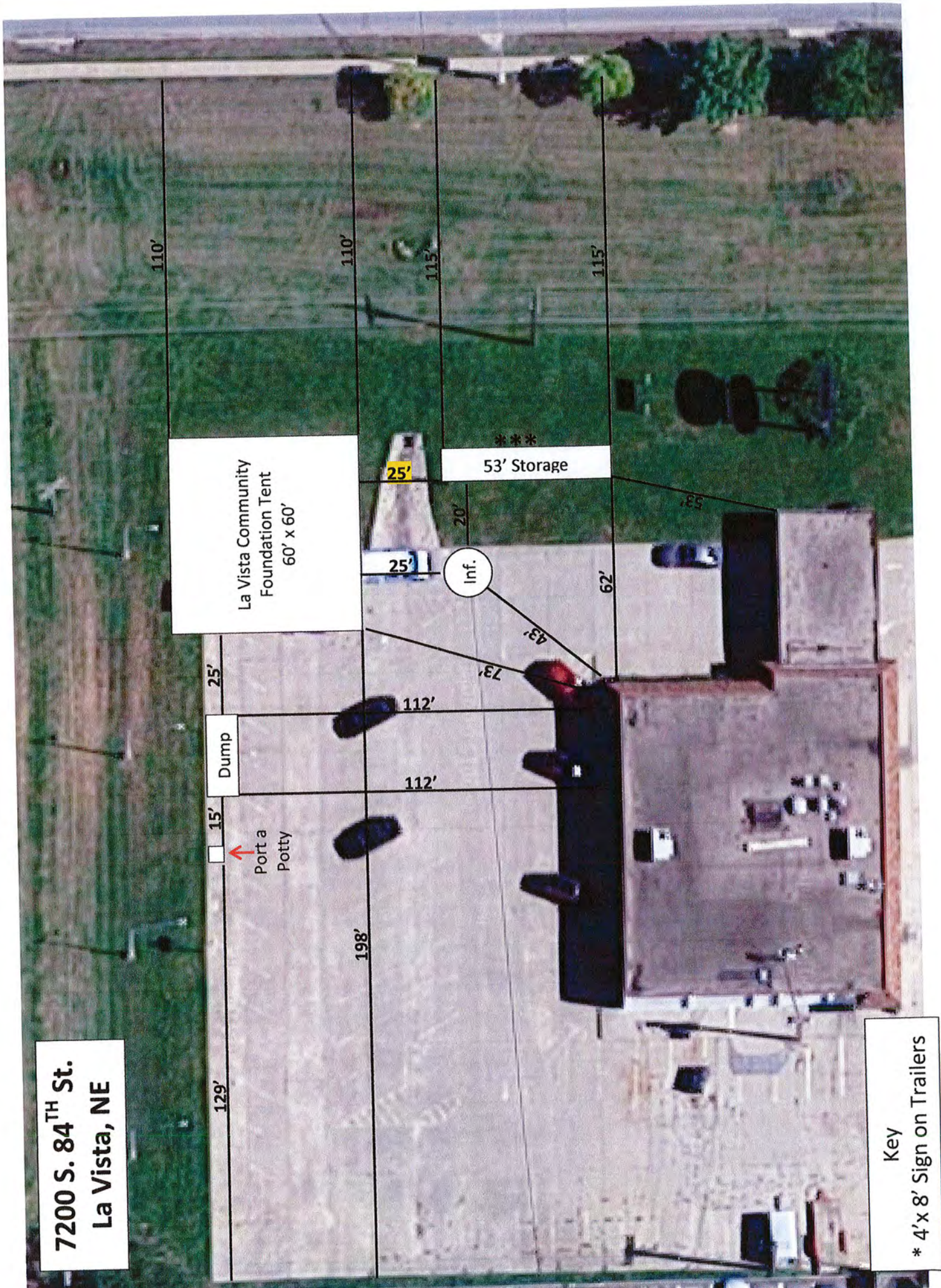
### FOR CITY HALL USE ONLY

Date Received: \_\_\_\_\_

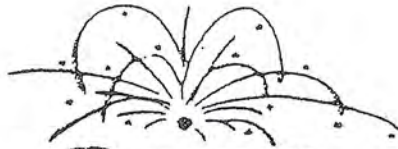
Received by: \_\_\_\_\_

- \$500 permit application deposit fee.
- Site Plan.
- A written statement of permission from the land-owner.
- The City of La Vista's *Accessory and Light Remodeling Permit* and \$150 permit application fee for Tent.
- The City of La Vista's *Sign Permit* application (maximum of four signs) and applicable fee.
- The City of La Vista's *Explosive Materials Storage Permit* and \$100 permit application fee.
- Statement of Proposed Community Betterment Expenditures.
- Three *Statements of Annual Income for Fireworks Sales*.
- Insurance certificate (due by 12:00 noon on June 19th).
- State Fire Marshal Certificate (due by 12:00 noon on June 19th).
- \$2,000 Permit Fee Balance (due by 12:00 noon on June 19th).

7200 S. 84<sup>TH</sup> St.  
La Vista, NE



Key  
\* 4' x 8' Sign on Trailers

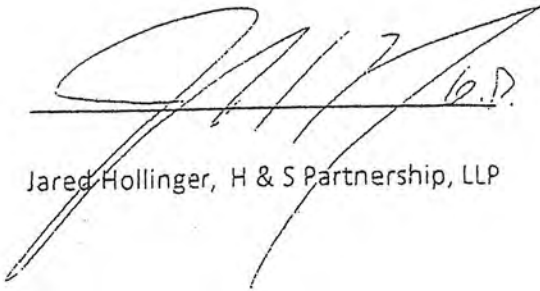


BELLINO  
FIREWORKS

501 Olson Drive, Suite 210  
Papillion, NE 68046  
(402) 935-1916

## PERMISSION TO OCCUPY

I hereby give the La Vista Community Foundation permission to occupy my property at 7200 S. 84<sup>th</sup> Street La Vista, Nebraska, to operate a retail fireworks stand from June 20<sup>th</sup> through July 5<sup>th</sup>

A handwritten signature in black ink, appearing to read "Jared Hollinger". The signature is written in a cursive, flowing style. To the right of the signature, there is a small handwritten "6.D." in the same ink.

Jared Hollinger, H & S Partnership, LLP



City of La Vista

Light Remodeling and Accessory Permit Application

8116 Park View Blvd, La Vista, NE 68128 Phone: 402-331-4343 Fax: 402-331-4375

The city is not responsible for permits taken out that were not allowable within your particular subdivision.

We suggest that you consult your subdivision covenants before applying for permits.

\*\* 2006 IRC (Int'l Residential Code) - Adopted Aug. 17, 2010\*\*

Date of Application 1/9/2015 Mail Permit to: (circle) Contractor Owner: Permit #

Project Address: 7200 S. 84th Street Lot Number: 159C Subdivision Parkview Heights Is this a rental property: Yes No

Print Applicant Name/Address: LaVista Community Foundation 8116 Parkview Blvd, La Vista, NE 68128 Phone #: (402) 960-9625

Print Owner Name/Address: Jeff Rothlisberger 7200 S. 84th Street, LaVista, NE 68128 Phone #: (402) 616-0822

Print Contractor Name/Address: Same as Applicant Phone #:

CALL BEFORE YOU DIG! UNDERGROUND HOT LINE 888-711-5666 or 811

FENCE: Height: Type: Location: Est. Materials: \$ Fee:\$

- Site plan required showing fence location, type and height
Fence posts must be set in concrete 24" minimum depth for wood and chain link
Fence location on or into fence owners property (may require survey).
All wood pickets or boards to face to the outside
Front yard fences need to be 12-1/2' from curb & no more than 4' high--open picket, split rail & chain link(2006 IRC)
Sideyard fences, on a corner lot, need to be 12-1/2' from the curb or off the right of way

SHED: Height: Type: Location: Est. Materials: \$ Fee:\$

- Site plan of property required showing shed location and spacing
Shed MUST BE located a minimum of 5 feet from the rear and side property line/s.
Concrete slab shed floor to have 1/2" dia. anchor bolts at max. 6'0" o.c. spacing for shed tie-down
Wood floors of sheds must be provided with 4 shed tie-downs anchors to meet city code
Maximum shed height 17', or less if restricted by local governing covenants (15').
Shed MUST BE located a minimum of 6'0" from any structure, or fire proofed to meet city code.

DECK: Type: Location: Est. Materials: \$ Fee:\$

- Site plan of property showing house and deck location and size
Deck drawing required showing the following:
a. Over-all deck size and stair location
b. Uncovered decks must be a distance of 15 feet from rear property lines; and, 5 feet from side property lines.
c. Decks must be 6 feet from any other detached structure
d. Post hole locations require 42" deep frost footings when attached to the house
e. Indicate size of wood beam on your drawing; and, know that column post sizes must be 6" x 6"
f. Indicate wood joist sizes and spacing measurement
g. Ledger beam attached to house with 1/2" dia. lag bolts that are 5" long (or equiv.) at 24" on center (staggered)
h. Galvanized joist hangers at ledger beam
i. Handrails to be 3'0" high with vertical spindle spacing not more than 4" apart
j. Stair detail as provided by City
k. Call for footing inspection once holes are dug, prior to filling. When project completed, call for final.

CURB-CUT / DRIVEWAYS / SIDEWALK

Curb Cut/Grind Width: Driveway Width: Driveway Length: Sidewalk Length: Concrete Depth: Fee:\$

Driveways must meet specifications of City Code & MUST be inspected before pouring

OTHER ACCESSORY PROJECTS - Roofing, Siding, Windows, etc.

Describe Project: Tent Estimated Materials: \$ Length: 60' Width: 60' # Door/s: # Window/s: Fee:\$ 150.00 Remarks: Set up 6-20 Tear down 7-4

Total of all FEES DUE: \$

Applicant certifies that this information has been read, understood and that projects will be constructed in compliance with all city ordinances; that all information is correct; and, that inspections will be requested.

Please phone 24 hours in advance for a final on all projects and any other inspections as noted above.

Signature of Applicant: [Handwritten Signature] Date: 1/13/15

Approved By City Official: Permit Clerk Date of Approval:

City of La Vista  
 Community Development Department  
 8116 Park View Blvd  
 La Vista, NE 68133  
 (402) 331-4343

# SIGN PERMIT APPLICATION



**(Please see other side for submittal requirements)**

Street Address of Sign Location: 7200 S. 84th Street

**Applicant Information**

Company Name: LaVista Community Foundation Contact: Leah Hoins

Address: 8116 Parkview Blvd. City: La Vista State NE Zip 68128

Phone: (402) 547-6716 Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Business/Organization (that is the subject of the sign)**

Company Name: Same as above Contact: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Sign Type**

- Temporary Sign - Date(s) of display (required): 6/24/15 - 7/4/15
- Wall Sign - Side of building displaying the sign: ( N S E W ) Width of this façade: \_\_\_\_\_ ft.
- Incidental/Directional Sign - Length of storefront: \_\_\_\_\_ ft.
- Monument - Setback from nearest property line: \_\_\_\_\_ ft.
- Center Identification - Setback from nearest property line: \_\_\_\_\_ ft.
- Common Signage Plan     Master Signage Plan     Other: \_\_\_\_\_

Illumination:     None     Internal     External    Describe: \_\_\_\_\_

Number of lot sides abutting street: \_\_\_\_\_

Are any existing signs at this location to remain?     Yes     No

If yes, total number and types of signs at this business location: \_\_\_\_\_

**Sign Size**

Sign width 4'    Sign height 8'    Total square feet 32'    Height from grade to top of sign \_\_\_\_\_ 6 ft.

**Applicant's Signature**

I believe that all of the information on this application and on drawings submitted in support of this application is accurate. I understand that any sign which is installed that is inconsistent or in conflict with this application, the supporting drawings, or the sign regulations contained in the City's Unified Development Ordinance is a violation of the City of La Vista municipal code. I further understand that the inadvertent approval of a sign application by the City that is not in compliance with the sign regulations does not create any legal nonconforming status nor does it remove any obligation to bring the sign into compliance. I understand that no sign shall be installed until a sign permit has been approved by the City of La Vista and the associated sign fee has been paid. Once a sign permit has been approved, all sign installation work must be completed in six months or the permit will expire.

*Leah Hoins*  
 (Signature of Applicant)

1/13/15  
 (Date)

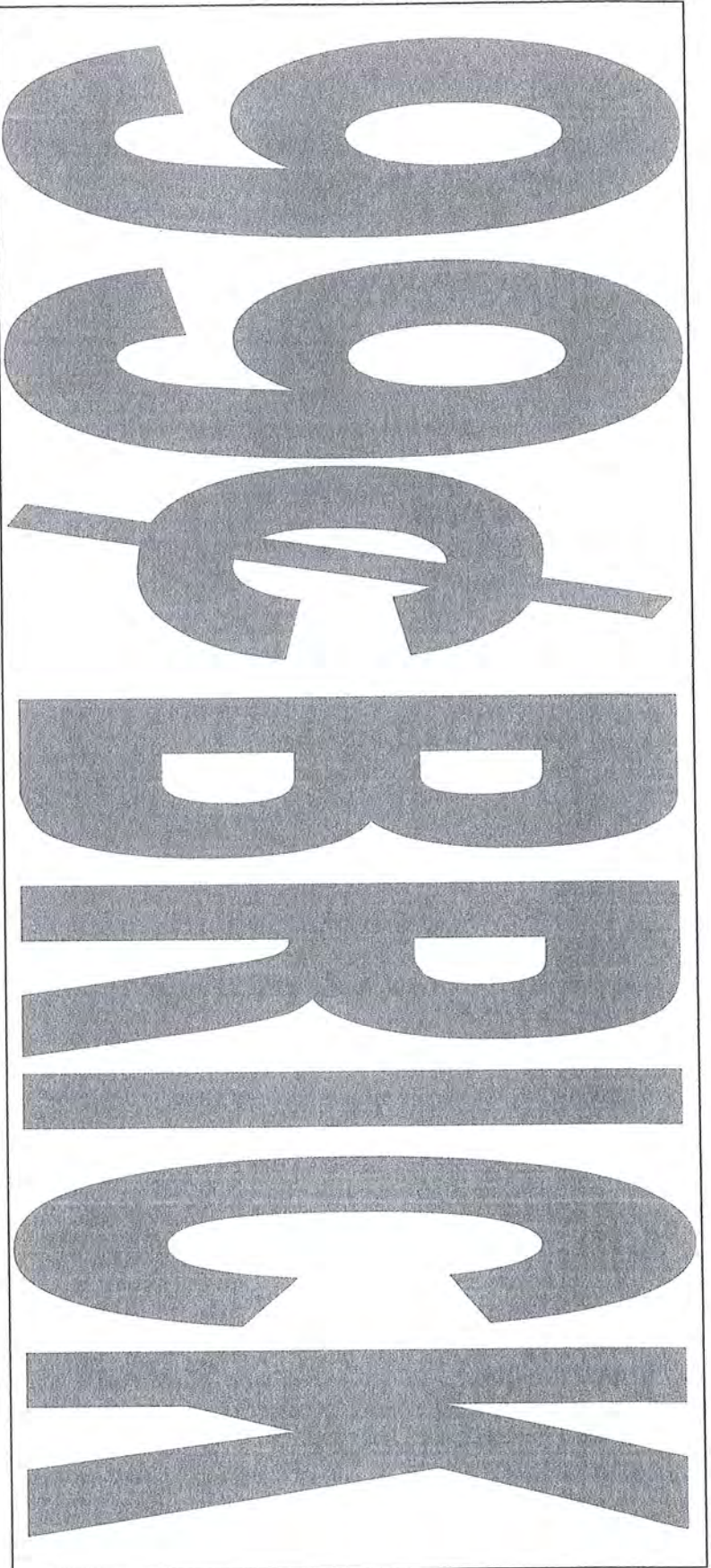
**Office Use Only**

Rec'd By	Date Rec'd	# of Temp Signs this Year	Zoning at Sign Site at site

Sign Permit Fee	Plan Fee	Total Fee

Approved    Condition(s): \_\_\_\_\_  
 Disapproved    Reason(s): \_\_\_\_\_

By: \_\_\_\_\_    Date: \_\_\_\_\_

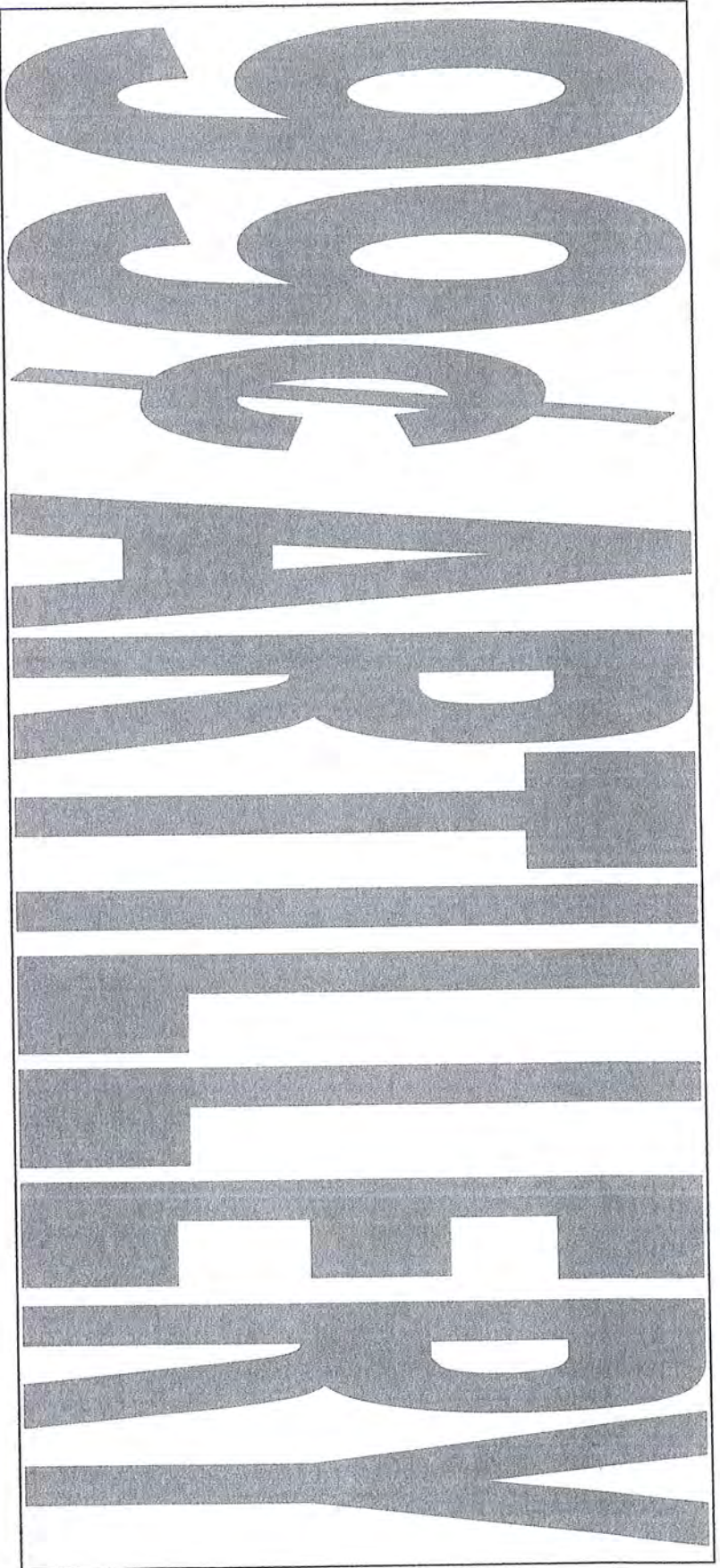


Height: 4 feet

Width: 8 Feet

Total Square Footage: 32 Square Feet

Sign Material: Vinyl Banner



Height: 4 feet

Width: 8 Feet

Total Square Footage: 32 Square Feet

Sign Material: Vinyl Banner



**CITY OF LA VISTA, NEBRASKA**  
**PERMIT APPLICATION EXPLOSIVE MATERIALS STORAGE**

Pursuant to §91.46 of the La Vista Municipal Code any person desiring to store or keep for any period of time explosive materials defined in Neb. RS 28-1213, shall file with the City Clerk an application for an explosive material storage permit.

**PLEASE TYPE OR PRINT CLEARLY**

Name of Applicant Leah Hoins Today's Date 1/9/15

Age of Applicant Over 25 years old

Street Address 1009 Creighton Road

City Papillion State NE Zip 68046

Phone (daytime) 402-547-6716 (evening) 402-960-9625

Name of Employer LaVista Community Foundation

Street Address of Employer 8116 Parkview Blvd

City LaVista State NE Zip 68128

Have you been instructed in the use of Explosives  yes  no

If yes, by whom? The Distributor

What type of instruction Sales, Safety, & Storage

Date of instruction 6/2012 Length of time of instruction 2 Hours

List your experience in the use of explosives, giving three distinct examples of the type and usage you have personally done

2 years experience in sales of Class "C" consumer fireworks, safety or Class "C" consumer fireworks, and storage of Class "C" consumer fireworks.

List the type of explosives you have been trained on and used Class "C" consumer fireworks

Enclose copies of any training certificate, explosive permits from other states or other pertinent documentation.

**CERTIFICATION AND RELEASE**

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

Leah C Hoins  
Signature of Applicant

Leah C Hoins  
Printed Name of Applicant

**FOR CITY HALL USE ONLY**

Date Received: \_\_\_\_\_

Received by: \_\_\_\_\_

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF PROPOSED COMMUNITY BETTERMENT EXPENDITURES

Pursuant to §111.17 of the La Vista Municipal Code, only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

PLEASE TYPE AND LIMIT STATEMENT TO THIS PAGE ONLY

Name of Nonprofit Organization LaVista Community Foundation

State Sales Tax ID 39-1965112

The LaVista Community Foundation utilizes proceeds from the 2015 Fireworks sales to benefit the community by funding Community Impact Events that support programs that assist children, education, Elder Care, The Arts & more. These proceeds are an important contribution to community services through our organization.

CERTIFICATION AND RELEASE

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

Leah C Hains

Signature of Organization Official

Leah C Hains

Printed Name of Organization Official

Executive Director

Title of Organization Official

Annual Expenditures of Net Proceeds

Date	Project Description or Event & Who Participated	Location	Cost
12-31-14	To Che Wines - Title Sponsor - Bellini Enterprise - LaVista Community Foundation Annual Fundraiser. Proceeds more than \$20,000 in Revenue to assist Che Foundation in community services	Embassy Suites	\$14,900
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
12-5-14	Community Impacts Grants	City of LaVista	\$18,400
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

\$33,300  
April 24, 2015

Total Community Betterment Expenditures

Please detail costs associated with projects and/or events.

Permit Year 2015

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
IN PERMIT YEAR 2014

Pursuant to §111.17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

*Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.*

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization La Vista Community Foundation

Annual Income  
Gross Fireworks Sales \$48,385.00

Expenses

Wholesale Cost of Fireworks (please provide copy of invoice)	<u>\$8,200.69</u>
State Sales Tax	<u>\$3,386.95</u>
Permit Fees:	
Local	<u>\$2,750.00</u>
State	<u>\$26.63</u>
Insurance	<u>\$1,706.29</u>
Rent or Lease Expenses	<u>\$4,000.00</u>
Advertising	<u>\$2,047.55</u>
Miscellaneous (please describe) Tent Utility usage, Installation	<u>\$3,500.00</u>
• <u>Lights, Electrical &amp; Phone</u>	<u>\$1,876.92</u>
Registers, Tables, Credit Card	
• <u>Machines, Fire, Safety &amp; Other Equip.</u>	<u>\$3,241.95</u>
Product Shrink, Bad Credit Cards,	
• <u>Discounts given to members</u>	<u>\$2,388.80</u>
• <u>Security</u>	<u>\$1,000.00</u>
Total Expenses	<u>\$34,125.78</u>

Net Proceeds (profits) \$14,259.22

◆◆◆◆◆

Permit Year 2013

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
IN PERMIT YEAR 2012

Pursuant to §11.11, 17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization LA VISTA COMMUNITY FOUNDATION

Annual Income  
Gross Fireworks Sales \$ 58,626.07

Expenses		
Wholesale Cost of Fireworks (please provide copy of invoice)	<u>10,869.50</u>	
State Sales Tax	<u>4,103.82</u>	
Permit Fees:		
Local	<u>2,750.00</u>	
State	<u>26.63</u>	
Insurance	<u>2,121.90</u>	
Rent or Lease Expenses	<u>5,000.00</u>	
Advertising	<u>2,970.75</u>	
Miscellaneous (please describe):	<u>3,041.40</u>	
TENT		
• UTILITIES USAGE INSTALLATION		
• LIGHTS ELECTRICAL; PHONE	<u>2,546.47</u>	
• REGISTERS TABLES, CREDIT CARD		
• MACHINES FIRE SAFETY; OTHER EQUIPMENT	<u>4,810.03</u>	
• PRODUCT SHRINK, BAD CHECKS OR CREDIT		
• CARDS DISCOUNTS GIVEN TO MEMBERS	<u>4,385.57</u>	
• SECURITY	<u>1,000.00</u>	
Total Expenses		<u>\$ 43,626.07</u>

Net Proceeds (profits) \$ 15,000.00

\*\*\*\*\*

Permit Year 2015

**CERTIFICATION AND RELEASE**

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

Leak C Hoins

Signature of Organization Official

Leak C Hoins

Printed Name of Organization Official

Executive Director

Title of Organization Official

\_\_\_\_\_  
Signature of Organization Official

\_\_\_\_\_  
Printed Name of Organization Official

\_\_\_\_\_  
Title of Organization Official



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
06/18/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

**PRODUCER**  
MCGRIFF, SEIBELS & WILLIAMS, INC.  
P.O. Box 10265  
Birmingham, AL 35202

**CONTACT NAME:**  
**PHONE (A/C, No, Ext):** 800-476-2211  
**FAX (A/C, No):**  
**E-MAIL ADDRESS:**

**INSURER(S) AFFORDING COVERAGE**

**NAIC #**

**INSURER A:** James River Casualty Company

13685

**INSURED**  
Bellino Fireworks, Inc  
501 Olson Drive, Suite 210  
Papillion, NE 68046

**INSURER B:**

**INSURER C:**

**INSURER D:**

**INSURER E:**

**INSURER F:**

**COVERAGES**

**CERTIFICATE NUMBER:** N2PVCFP6

**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			000576611	05/04/2014	09/04/2015	EACH OCCURRENCE	\$ 2,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000
							MED EXP (Any one person)	\$ EXCLUDED
							PERSONAL & ADV INJURY	\$ 2,000,000
							GENERAL AGGREGATE	\$ 5,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
A	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE  DED <input type="checkbox"/> RETENTION \$			000623090	05/04/2014	09/04/2015	EACH OCCURRENCE	\$ 4,000,000
							AGGREGATE	\$ 4,000,000
								\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						WC STATUTORY LIMITS	
							OTH-ER	
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$
								\$
								\$
								\$
								\$

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES** (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
Location: 7200 S. 84th St., LaVista, NE  
Lot 159C Parkview Heights  
City of LaVista, NE  
LaVista Community Foundation  
Jeff Rothlisberger  
Bellino Fireworks, Inc.  
Donald J. and Valerie R. Bellino

**CERTIFICATE HOLDER**

Bellino Fireworks, Inc.  
501 Olson Drive Suite 210  
Papillion, NE 68046

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

**CITY OF LA VISTA, NEBRASKA  
PERMIT APPLICATION  
SALE OF PERMISSIBLE FIREWORKS**

Pursuant to §111.17 of the La Vista Municipal Code it shall be unlawful for any person to sell, hold for sale or offer for sale any permissible fireworks within the corporate limits of the City of La Vista unless such person has first obtained a permit. Only nonprofit organizations and associations using volunteer salespersons and which will use the net proceeds from the sale of fireworks for community betterment purposes within the City of La Vista shall be eligible for a permit.

**PLEASE TYPE OR PRINT CLEARLY**

Name of Nonprofit Organization LaVista Lancer Soccer Club Today's Date 1/9/2015  
 Street Address 7821 S. 71st Ave.  
 City La Vista State NE Zip 68128  
 Contact Person Richard Richt Phone (daytime) (402) 593-7549 (evening) \_\_\_\_\_

**APPLICANT READ**

This permit application is used by the City Council to evaluate your organization's qualifications for a Fireworks Permit. Please answer all questions completely and accurately. Failure to submit the application pursuant to the deadlines contained herein or submission of an incomplete application may result in denial of a permit. The City is not responsible for determining whether your application is complete at the time of submission nor will you be allowed to submit additional information after the deadlines noted herein.

**To be eligible for City Council review, each application submittal must include the following in one packet:**

- ✓ Completed Permit Application Form and a \$500 permit application deposit fee received at City Hall, 8116 Park View Boulevard, La Vista, NE, 68128, no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday). If your permit is denied, \$400 of this fee will be refunded to your organization. If you are issued a permit, the remaining amount of the permit application fee as established in the Master Fee Ordinance will be due and payable to the City of La Vista no later than noon on June 21 of the permit year to receive permit.
- ✓ A site plan on 8 ½" x 11" paper which details the dimensions, location and distance between all proposed components of your group's fireworks stand (including but not limited to: tent, storage, garbage, portable restrooms, signs, parking, etc.) The site plan must be neat and legible, with an attempt made to show components as close to scale as possible.
- ✓ A signed statement from the land-owner where your proposed fireworks sales will occur, granting permission to your organization to utilize the property (written permission from retail store managers is not acceptable).
- ✓ The City of La Vista's *Accessory and Light Remodeling Permit* and the permit application fee as established in the Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday), for your tent (please note, no more than one tent is allowed). Your permit must note the proposed date and time of your site set up. Please contact the Chief Building Official for assistance in completing this permit. If your permit application is denied, this fee will be refunded.
- ✓ The City of La Vista's *Sign Permit* and the permit application fee per sign (maximum of four), as established in the Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday), for any and all temporary signage. (The size and location of signs must be in compliance with the City's zoning regulations regarding temporary signs.) Please contact the Chief Building Official for assistance in completing this permit. If your permit is denied, this fee will be refunded.
- ✓ The City of La Vista's *Explosive Materials Storage Permit* and the permit application fee as established in the



Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday). If your permit is denied, \$100 of this fee is refunded to your organization.

- ✓ A signed City of La Vista *Statement of Proposed Community Betterment Expenditures* from your organization describing in detail how net proceeds from the sale of fireworks will be used for Community Betterment in the City of La Vista must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday).
- ✓ If your organization has held a permit in any of the three (3) years preceding this application, a City of La Vista *Statement of Annual Income for Fireworks Sales* must be completed for each of the three years and received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday).
- ✓ If the permit is approved your organization will need to furnish to City Hall no later than noon on June 21st of the permit year an insurance certificate meeting the requirements outlined in City Code.
- ✓ If the permit is approved your organization will need to furnish to City Hall no later than noon on June 21st of the permit year, the balance of the permit fee in the amount of \$2,000 and a State Fire Marshal Certificate meeting the requirements outlined in City Code.

#### CERTIFICATION AND RELEASE

I certify that I have read and understand the "Applicant Read" paragraph on page one of this permit application and that all information, statements, materials and permits submitted as a part of this Permit Application are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information. I also understand that the use or sales of illegal fireworks is prohibited. I hereby further provide written assurance that this organization will file a certificate of insurance issued by an insurance company in good standing, authorized to do business in Nebraska, providing liability insurance in the amounts and for the coverages required by the City Council. I understand this certificate of insurance is a condition of issuance of the permit.

**PERMITS WILL NOT BE ISSUED UNTIL YOUR SITE HAS BEEN INSPECTED AND PASSED.**

Richard P. Richt  
Signature and Title of Organization Official

Richard P. Richt  
Printed Name of Organization Official

#### FOR CITY HALL USE ONLY

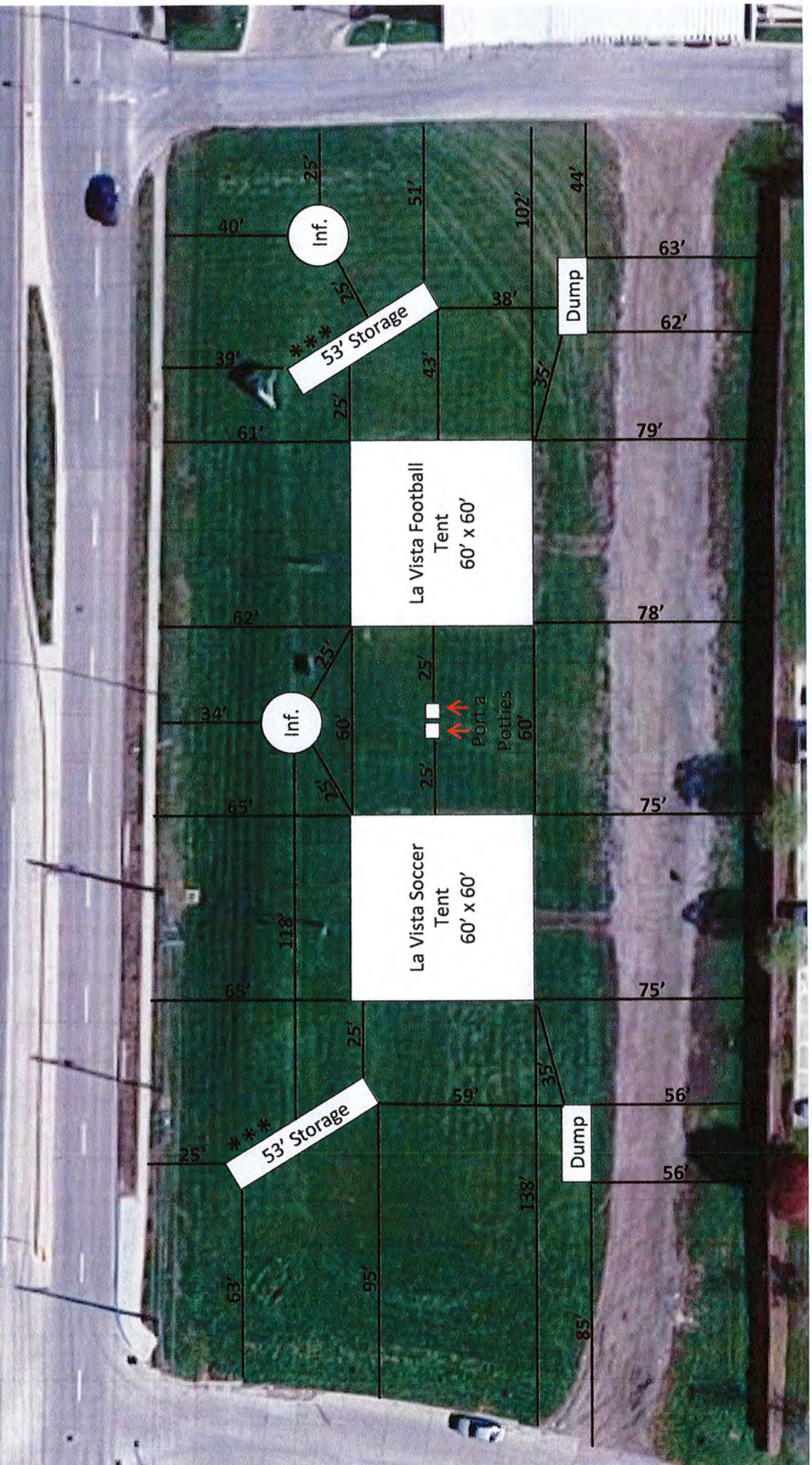
Date Received: \_\_\_\_\_ Received by: \_\_\_\_\_

- \$500 permit application deposit fee.
- Site Plan.
- A written statement of permission from the land-owner.
- The City of La Vista's *Accessory and Light Remodeling Permit* and \$150 permit application fee for Tent.
- The City of La Vista's *Sign Permit* application (maximum of four signs) and applicable fee.
- The City of La Vista's *Explosive Materials Storage Permit* and \$100 permit application fee.
- Statement of Proposed Community Betterment Expenditures.
- Three *Statements of Annual Income for Fireworks Sales*.
- Insurance certificate (due by 12:00 noon on June 19th).
- State Fire Marshal Certificate (due by 12:00 noon on June 19th).
- \$2,000 Permit Fee Balance (due by 12:00 noon on June 19th).

7302 Harrison St.  
La Vista, NE

Key  
\* 4'x 8' Sign on Trailers

Harrison St.




# Bellino Properties

501 Olson Drive, Suite 210 Papillion, NE 68046 Phone: 402-935-1916 Fax: 402-339-9001

## PERMISSION TO OCCUPY

I hereby give La Vista Youth Football & Cheerleading permission to occupy my property at 73<sup>rd</sup> & Harrison Street, La Vista, Nebraska, to operate a retail fireworks stand from June 20<sup>th</sup> through July 6<sup>th</sup>.



---

Don Bellino, Owner  
Bellino Harrison Street Property, LLC



City of La Vista

Light Remodeling and Accessory Permit Application

8116 Park View Blvd, La Vista, NE 68128 Phone: 402-331-4343 Fax: 402-331-4375

The city is not responsible for permits taken out that were not allowable within your particular subdivision.

We suggest that you consult your subdivision covenants before applying for permits.

\*\* 2006 IRC (Int'l Residential Code) - Adopted Aug. 17, 2010\*\*

Date of Application 1/9/2015 Mail Permit to: (circle) Contractor Owner: Permit #

Project Address: 7302 Harrison Street
Lot Number: 4 Subdivision Schaeffer 1st ADD Is this a rental property: Yes No

Print Applicant Name/Address: Richard Richt/LaVista Lancer Soccer Club
7821 S. 71st Ave., LaVista, NE 68128 Phone #: 402-593-7549

Print Owner Name/Address: Bellino Harrison Street Property LLC
501 Olson Drive Suite 210, Papillion, NE 68046 Phone #: (402) 935-1916

Print Contractor Name/Address: Same as Applicant Phone #:

CALL BEFORE YOU DIG! UNDERGROUND HOT LINE 888-711-5666 or 811

FENCE: Height: Type: Location: Est. Materials: \$ Fee: \$

- Site plan required showing fence location, type and height
Fence posts must be set in concrete 24" minimum depth for wood and chain link
Fence location on or into fence owners property (may require survey).
All wood pickets or boards to face to the outside
Front yard fences need to be 12-1/2' from curb & no more than 4' high—open picket, split rail & chain link(2006 IRC)
Sideyard fences, on a corner lot, need to be 12-1/2' from the curb or off the right of way

SHED: Height: Type: Location: Est. Materials: \$ Fee: \$

- Site plan of property required showing shed location and spacing
Shed MUST BE located a minimum of 5 feet from the rear and side property line/s.
Concrete slab shed floor to have 1/2" dia. anchor bolts at max. 6'0" o.c. spacing for shed tie-down
Wood floors of sheds must be provided with 4 shed tie-downs anchors to meet city code
Maximum shed height 17', or less if restricted by local governing covenants (15').
Shed MUST BE located a minimum of 6'0" from any structure, or fire proofed to meet city code.

DECK: Type: Location: Est. Materials: \$ Fee: \$

- Site plan of property showing house and deck location and size
Deck drawing required showing the following:
a. Over-all deck size and stair location
b. Uncovered decks must be a distance of 15 feet from rear property lines; and, 5 feet from side property lines.
c. Decks must be 6 feet from any other detached structure
d. Post hole locations require 42" deep frost footings when attached to the house
e. Indicate size of wood beam on your drawing; and, know that column post sizes must be 6" x 6"
f. Indicate wood joist sizes and spacing measurement
g. Ledger beam attached to house with 1/2" dia. lag bolts that are 5" long (or equiv.) at 24" on center (staggered)
h. Galvanized joist hangers at ledger beam
i. Handrails to be 3'0" high with vertical spindle spacing not more than 4" apart
j. Stair detail as provided by City
k. Call for footing inspection once holes are dug, prior to filling. When project completed, call for final.

CURB-CUT / DRIVEWAYS / SIDEWALK

Curb Cut/Grind Width: Driveway Width: Driveway Length:
Sidewalk Length: Concrete Depth: Fee: \$

Driveways must meet specifications of City Code & MUST be inspected before pouring

OTHER ACCESSORY PROJECTS - Roofing, Siding, Windows, etc.

Describe Project: Tent Estimated Materials: \$
Length: 60' Width: 60' # Door/s: # Window/s:
Remarks: Set up 6-20 Tear down 7-4 Fee: \$ 150.00

Total of all FEES DUE: \$

Applicant certifies that this information has been read, understood and that projects will be constructed in compliance with all city ordinances; that all information is correct; and, that inspections will be requested.

Please phone 24 hours in advance for a final on all projects and any other inspections as noted above.

Signature of Applicant: Richard P. Richt Date: 1/12/2015

Approved By City Official: Permit Clerk

Date of Approval:

City of La Vista  
 Community Development Department  
 8116 Park View Blvd  
 La Vista, NE 68133  
 (402) 331-4343

# SIGN PERMIT APPLICATION



**(Please see other side for submittal requirements)**

Street Address of Sign Location: 7302 Harrison Street

**Applicant Information**

Company Name: LaVista Lancer Soccer Club Contact: Richard Richt

Address: 7821 S. 71st Ave. City: La Vista State NE Zip 68128

Phone: (402) 593-7549 Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Business/Organization (that is the subject of the sign)**

Company Name: Same as above Contact: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Sign Type**

- Temporary Sign - Date(s) of display (required): 6/24/15 - 7/4/15
- Wall Sign - Side of building displaying the sign: ( N S E W ) Width of this façade: \_\_\_\_\_ ft.
- Incidental/Directional Sign - Length of storefront: \_\_\_\_\_ ft.
- Monument - Setback from nearest property line: \_\_\_\_\_ ft.
- Center Identification - Setback from nearest property line: \_\_\_\_\_ ft.
- Common Signage Plan     Master Signage Plan     Other: \_\_\_\_\_

illumination:     None     Internal     External    Describe: \_\_\_\_\_

Number of lot sides abutting street: \_\_\_\_\_

Are any existing signs at this location to remain?     Yes     No

If yes, total number and types of signs at this business location: \_\_\_\_\_

**Sign Size**

Sign width 4' Sign height 8' Total square feet 32' Height from grade to top of sign \_\_\_\_\_ 6 ft.

**Applicant's Signature**

I believe that all of the information on this application and on drawings submitted in support of this application is accurate. I understand that any sign which is installed that is inconsistent or in conflict with this application, the supporting drawings, or the sign regulations contained in the City's Unified Development Ordinance is a violation of the City of La Vista municipal code. I further understand that the inadvertent approval of a sign application by the City that is not in compliance with the sign regulations does not create any legal nonconforming status nor does it remove any obligation to bring the sign into compliance. I understand that no sign shall be installed until a sign permit has been approved by the City of La Vista and the associated sign fee has been paid. Once a sign permit has been approved, all sign installation work must be completed in six months or the permit will expire.

Richard P. Richt  
 (Signature of Applicant)

1/12/2015  
 (Date)

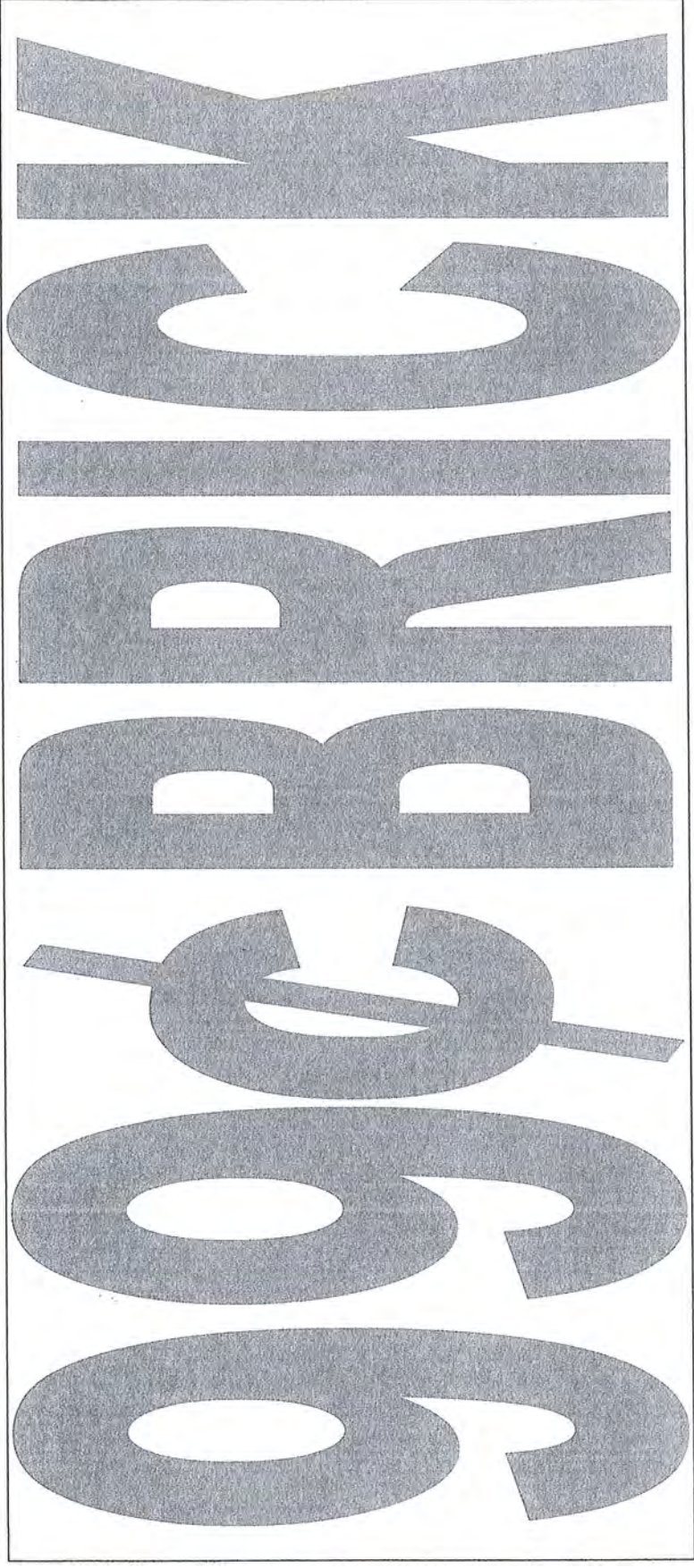
**Office Use Only**

Rec'd By	Date Rec'd	# of Temp Signs this Year	Zoning at Sign Site at site

Sign Permit Fee	Plan Fee	Total Fee

- Approved    Condition(s): \_\_\_\_\_
- Disapproved    Reason(s): \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

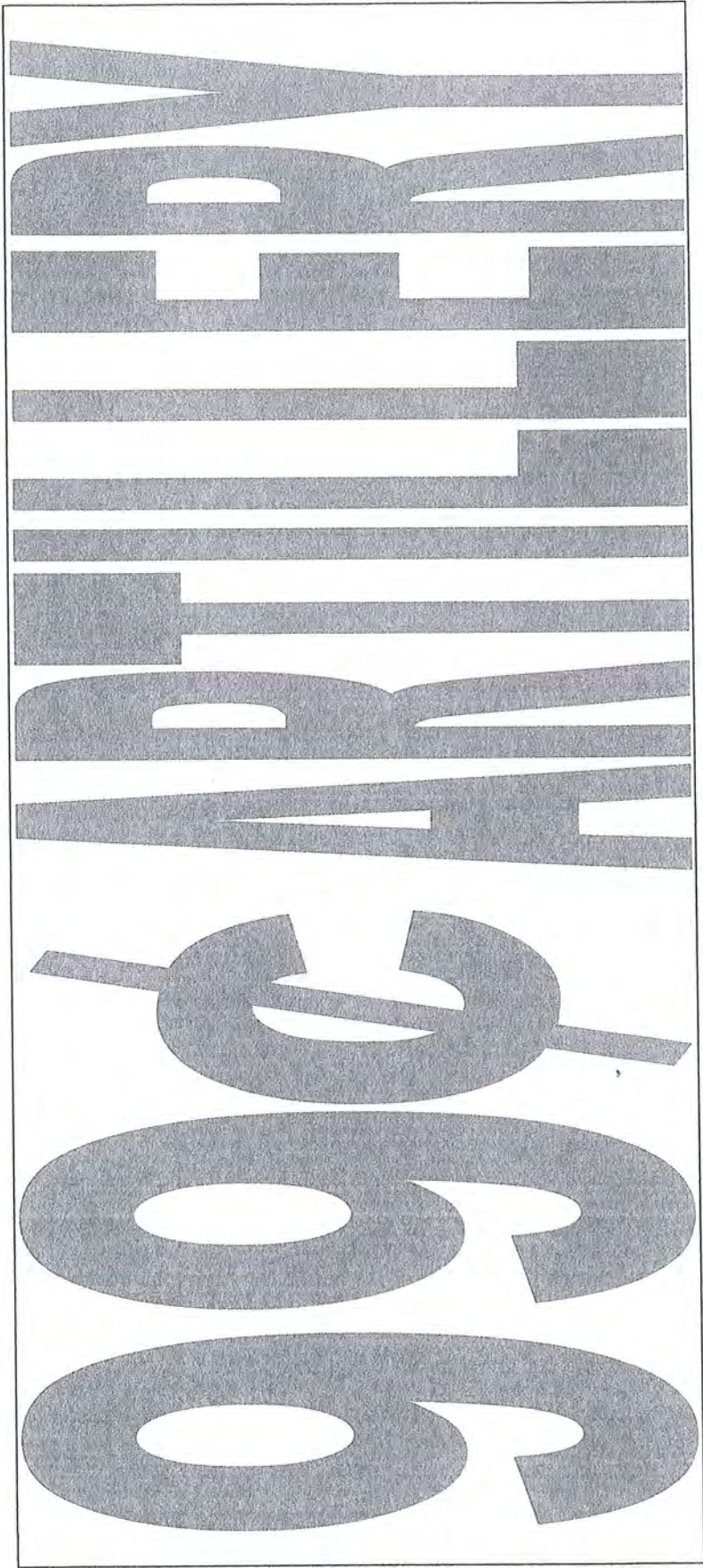


Height: 4 feet

Width: 8 Feet

Total Square Footage: 32 Square Feet

Sign Material: Vinyl Banner



Height: 4 feet

Width: 8 Feet

Total Square Footage: 32 Square Feet

Sign Material: Vinyl Banner

**CITY OF LA VISTA, NEBRASKA**  
**PERMIT APPLICATION EXPLOSIVE MATERIALS STORAGE**

Pursuant to §91.46 of the La Vista Municipal Code any person desiring to store or keep for any period of time explosive materials defined in Neb. RS 28-1213, shall file with the City Clerk an application for an explosive material storage permit.

**PLEASE TYPE OR PRINT CLEARLY**

Name of Applicant Richard Richt Today's Date 1/9/15

Age of Applicant Over 25 years old

Street Address 7821 S. 71st Ave.

City La Vista State NE Zip 68128

Phone (daytime) 402-593-7549 (evening) \_\_\_\_\_

Name of Employer \_\_\_\_\_

Street Address of Employer \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Have you been instructed in the use of Explosives  yes  no

If yes, by whom? The Distributor

What type of instruction Sales, Safety, & Storage

Date of instruction 6/2012 Length of time of instruction 2 Hours

List your experience in the use of explosives, giving three distinct examples of the type and usage you have personally done  
2 years experience in sales of Class "C" consumer fireworks, safety or Class "C" consumer fireworks, and storage of Class "C" consumer fireworks.

List the type of explosives you have been trained on and used Class "C" consumer fireworks

Enclose copies of any training certificate, explosive permits from other states or other pertinent documentation.

**CERTIFICATION AND RELEASE**

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

Richard P. Richt  
Signature of Applicant

Richard P. Richt  
Printed Name of Applicant

**FOR CITY HALL USE ONLY**

Date Received: \_\_\_\_\_

Received by: \_\_\_\_\_



CITY OF LA VISTA, NEBRASKA  
STATEMENT OF PROPOSED COMMUNITY BETTERMENT EXPENDITURES

Pursuant to §111.17 of the La Vista Municipal Code, only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

PLEASE TYPE AND LIMIT STATEMENT TO THIS PAGE ONLY

Name of Nonprofit Organization LA VISTA SOCCER CLUB

State Sales Tax ID 7617569

We will continue to work with Athletic teams for fundraising team parties and donations for what they need. Donations to the City of La Vista for Halloween Safe Night and others possibly.

We offer college scholarships to graduating high school students, who were previous club members and possibly more donations later for college.

We are making payments for athletic activities for previous players.

We may make donations for high school activities for previous players.

**CERTIFICATION AND RELEASE**

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

Richard P. Richt

Signature of Organization Official

Richard P. Richt

Printed Name of Organization Official

President

Title of Organization Official

**Permit Year 2015**

**Annual Expenditures of Net Proceeds**

Date	Project Description or Event & Who Participated	Location	Cost
2/1	College scholarship money for previous players: Victoria McNamarat, Mitchell Reacht, Allison Kalal	La Vista	\$1,500.00
4/30	College scholarship \$500.00 each: Jacob Cuncovich Regan Culper, Cody Lee, Sam Long, Elliott Nohr.	PLV High School	\$5,500.00
-----	Karolyn Cahill, Tori Pleiss, Trevor Richt, Nicole Soto, Samantha Cunningham, Matthew Stolenburg	-----	-----
8/10	Boy Scout Troop 377	Papillion - La Vista	\$9,500.00
10/28	Hy-Vee for Halloween Safe Night candy	La Vista	\$667.00
11/11	College scholarship money for previous players: Theresa White & Anthony White	La Vista	\$200.00
-----	-----	-----	-----
-----	-----	-----	-----
	<b>Total Community Betterment Expenditures</b>		<b>\$17,367.00</b>

Please detail costs associated with projects and/or events.

Permit Year 2015

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
IN PERMIT YEAR 2014

Pursuant to §111.17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

*Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.*

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization La Vista Lancers Soccer Club

**Annual Income**

Gross Fireworks Sales \$82,386.61

**Expenses**

Wholesale Cost of Fireworks \$28,395.49  
(please provide copy of invoice)

State Sales Tax \$5,767.06

Permit Fees:

Local \$2,750.00

State \$26.63

Insurance \$3,540.24

Rent or Lease Expenses \$6,000.00

Advertising \$4,248.29

Miscellaneous (please describe) Tent \$3,500.00

Utility usage, Installation  
• Lights, Electrical & Phone \$3,894.26

Registers, Tables, Credit Card

• Machines, Fire, Safety & Other Equip. \$6,726.45

Product Shrink, Bad Credit Cards,

• Discounts given to members \$4,956.33

• Security \$1,000.00

Total Expenses \$70,804.75

Net Proceeds (profits) \$11,581.86

◆◆◆◆◆

Permit Year 2014

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
IN PERMIT YEAR 2013

Pursuant to §111.17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

*Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.*

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization La Vista Lancers Soccer Club

Annual Income  
Gross Fireworks Sales \$82,438.43

Expenses

Wholesale Cost of Fireworks (please provide copy of invoice)	<u>\$30,543.72</u>
State Sales Tax	<u>\$5,770.69</u>
Permit Fees:	
Local	<u>\$2,750.00</u>
State	<u>\$26.63</u>
Insurance	<u>\$2,707.51</u>
Rent or Lease Expenses	<u>\$6,000.00</u>
Advertising	<u>\$3,738.58</u>
Miscellaneous (please describe) Tent	<u>\$3,500.00</u>
Utility usage, Installation	
• Lights, Electrical & Phone	<u>\$3,198.58</u>
Registers, Tables, Credit Card	
• Machines, Fire Safety & Other Equip.	<u>\$6,032.04</u>
Product Shrink, Bad Checks or Credit	
• Cards, Discounts Given to Members	<u>\$5,580.53</u>
• Security	<u>\$1,000.00</u>
Total Expenses	<u>\$70,848.28</u>
Net Proceeds (profits)	<u>\$11,590.15</u>

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CITY OF LA VISTA, NEBRASKA  
 STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
 IN PERMIT YEAR 2012

Pursuant to §111.17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization LA VISTA LANCERS SOCCER CLUB

Annual Income \$ 78,232.07  
 Gross Fireworks Sales

Expenses

Wholesale Cost of Fireworks (please provide copy of invoice)	<u>29,695.91</u>
State Sales Tax	<u>5,476.24</u>
Permit Fees:	
Local	<u>2,750.00</u>
State	<u>26.63</u>
Insurance	<u>2,461.37</u>
Rent or Lease Expenses	<u>6,000.00</u>
Advertising	<u>3,398.71</u>
Miscellaneous (please describe): <u>TENT</u>	<u>3,041.40</u>
• <u>UTILITIES USAGE INSTALLATION</u>	
• <u>LIGHTS ELECTRICAL ; PHONE</u>	<u>2,907.80</u>
• <u>REGISTERS, TABLES, CREDIT CARD</u>	
• <u>MACHINES, FIRE SAFETY ; OTHER EQUIPMENT</u>	<u>5,483.67</u>
• <u>PRODUCT SHRINK, BAD CHECKS OR CREDIT</u>	
• <u>CARDS DISCOUNTS, GIVEN TO MEMBERS</u>	<u>5,073.21</u>
• <u>SECURITY</u>	<u>1,000.00</u>
Total Expenses	<u>\$ 67,314.94</u>

Net Proceeds (profits)

\$ 10,917.13

**CERTIFICATION AND RELEASE**

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

Richard P. Richt  
Signature of Organization Official

Richard P. Richt  
Printed Name of Organization Official

President  
Title of Organization Official

\_\_\_\_\_  
Signature of Organization Official

\_\_\_\_\_  
Printed Name of Organization Official

\_\_\_\_\_  
Title of Organization Official



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
06/11/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

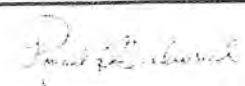
<b>PRODUCER</b> MCGRIFF, SEIBELS & WILLIAMS, INC. P.O. BOX 10205 Birmingham, AL 35202	<b>CONTACT NAME:</b> PHONE (A/C, No. Ext): 900 476 2244 E-MAIL ADDRESS: INSURED(S) AFFORDING COVERAGE: James River Casualty Company NAIC #: 13685	
	<b>FAX (A/C, NO):</b> INSURER A : James River Casualty Company INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :	

**COVERAGES**      **CERTIFICATE NUMBER:** KU69CTN3      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC		000576611	05/04/2014	09/04/2015	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ EXCLUDED PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$		000623090	05/04/2014	09/04/2015	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N	N / A			WC STATU-TORY LIMITS \$ OTH-ER \$ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES** (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
Location: 7302 Harrison St., LaVista, NE  
Lot 4 Schaeffer's 1st Addition  
City of LaVista, NE  
LaVista Lancer's Soccer Club  
Bellino Harrison Street Property, LLC  
Bellino Fireworks, Inc.  
Donald J. and Valerie R. Bellino

<b>CERTIFICATE HOLDER</b>  Bellino Fireworks, Inc. 501 Olson Drive Suite 210 Papillion, NE 68046	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE  

**NEBRASKA STATE FIRE MARSHAL**

246 South 14th Street  
Lincoln, NE 68508-1804

**LICENSE FOR SALE OF FIREWORKS**

Permissible fireworks may be sold at retail commencing 12:01 AM June 25 and ending 11:59 PM July 4 OR 12:01 AM December 29 and ending 11:59 PM December 31 and must be purchased from a licensed distributor or jobber. A jobber may not sell retail. Invoice copies for all fireworks must be kept available for inspection and must show the license number of the distributor or jobber. Fireworks may not be sold outside the city limits of an incorporated town or village. Violations of State Fire Marshal regulations may result in immediate revocation of this license.

**LICENSE GOOD ONLY FOR CALENDAR YEAR IN WHICH ISSUED**

This copy signed, dated and numbered by the STATE FIRE MARSHAL constitutes issuance of a LICENSE pursuant to the provisions of Nebraska Revised Statute 28-1246 (1994 Supp.). Such license shall be displayed at licensee's place of business.

**DATE RECEIVED:**

January 09, 2015 05:33 PM

**TYPE OF LICENSE AND FEE:**

Retail Permit (July) - \$25.00

**LOCATION OF OUTLET FOR RETAIL SALE OF FIREWORKS:**

7302 Harrison Street  
Lavista  
Tent in vacant lot

**COUNTY:**

Sarpy

**STORAGE LOCATION:**

**DISTRIBUTOR(S)/JOBBER(S):**

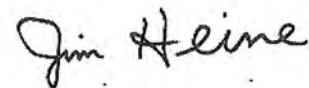
Bellino Fireworks, Inc. (2015-RP-11185648-4)

**SALES TAX NUMBER:**

17617569

**DATE ISSUED:**

January 09, 2015 12:43 PM



STATE FIRE MARSHAL

**LICENSE HOLDER:**

LaVista Lancers Soccer Club

**LICENSE NUMBER:**

2015-RP-11361172-11-01



Permit Year 2015

CITY OF LA VISTA, NEBRASKA  
PERMIT APPLICATION  
SALE OF PERMISSIBLE FIREWORKS

Pursuant to §111.17 of the La Vista Municipal Code it shall be unlawful for any person to sell, hold for sale or offer for sale any permissible fireworks within the corporate limits of the City of La Vista unless such person has first obtained a permit. Only nonprofit organizations and associations using volunteer salespersons and which will use the net proceeds from the sale of fireworks for community betterment purposes within the City of La Vista shall be eligible for a permit.

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization La Vista Youth Today's Date 1/9/2015  
Street Address 7110 S. 79th St.  
City La Vista State NE Zip 68128  
Contact Person Andrea Means Phone (daytime) (402) 597-3196 (evening) (402) 515-5192

APPLICANT READ

This permit application is used by the City Council to evaluate your organization's qualifications for a Fireworks Permit. Please answer all questions completely and accurately. Failure to submit the application pursuant to the deadlines contained herein or submission of an incomplete application may result in denial of a permit. The City is not responsible for determining whether your application is complete at the time of submission nor will you be allowed to submit additional information after the deadlines noted herein.

To be eligible for City Council review, each application submittal must include the following in one packet:

- ✓ Completed Permit Application Form and a \$500 permit application deposit fee received at City Hall, 8116 Park View Boulevard, La Vista, NE, 68128, no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday). If your permit is denied, \$400 of this fee will be refunded to your organization. If you are issued a permit, the remaining amount of the permit application fee as established in the Master Fee Ordinance will be due and payable to the City of La Vista no later than noon on June 21 of the permit year to receive permit.
- ✓ A site plan on 8 1/2 " x 11" paper which details the dimensions, location and distance between all proposed components of your group's fireworks stand (including but not limited to: tent, storage, garbage, portable restrooms, signs, parking, etc.) The site plan must be neat and legible, with an attempt made to show components as close to scale as possible.
- ✓ A signed statement from the land-owner where your proposed fireworks sales will occur, granting permission to your organization to utilize the property (written permission from retail store managers is not acceptable).
- ✓ The City of La Vista's *Accessory and Light Remodeling Permit* and the permit application fee as established in the Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday), for your tent (please note, no more than one tent is allowed). Your permit must note the proposed date and time of your site set up. Please contact the Chief Building Official for assistance in completing this permit. If your permit application is denied, this fee will be refunded.
- ✓ The City of La Vista's *Sign Permit* and the permit application fee per sign (maximum of four), as established in the Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday), for any and all temporary signage. (The size and location of signs must be in compliance with the City's zoning regulations regarding temporary signs.) Please contact the Chief Building Official for assistance in completing this permit. If your permit is denied, this fee will be refunded.
- ✓ The City of La Vista's *Explosive Materials Storage Permit* and the permit application fee as established in the

Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday). If your permit is denied, \$100 of this fee is refunded to your organization.

- ✓ A signed City of La Vista *Statement of Proposed Community Betterment Expenditures* from your organization describing in detail how net proceeds from the sale of fireworks will be used for Community Betterment in the City of La Vista must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday).
- ✓ If your organization has held a permit in any of the three (3) years preceding this application, a City of La Vista *Statement of Annual Income for Fireworks Sales* must be completed for each of the three years and received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday).
- ✓ If the permit is approved your organization will need to furnish to City Hall no later than noon on June 21st of the permit year an insurance certificate meeting the requirements outlined in City Code.
- ✓ If the permit is approved your organization will need to furnish to City Hall no later than noon on June 21st of the permit year, the balance of the permit fee in the amount of \$2,000 and a State Fire Marshal Certificate meeting the requirements outlined in City Code.

#### **CERTIFICATION AND RELEASE**

I certify that I have read and understand the "Applicant Read" paragraph on page one of this permit application and that all information, statements, materials and permits submitted as a part of this Permit Application are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information. I also understand that the use or sales of illegal fireworks is prohibited. I hereby further provide written assurance that this organization will file a certificate of insurance issued by an insurance company in good standing, authorized to do business in Nebraska, providing liability insurance in the amounts and for the coverages required by the City Council. I understand this certificate of insurance is a condition of issuance of the permit.

**PERMITS WILL NOT BE ISSUED UNTIL YOUR SITE HAS BEEN INSPECTED AND PASSED.**

Andrea M. Means President      Andrea M. Means  
Signature and Title of Organization Official      Printed Name of Organization Official

#### **FOR CITY HALL USE ONLY**

Date Received: \_\_\_\_\_ Received by: \_\_\_\_\_

- \$500 permit application deposit fee.
- Site Plan.
- A written statement of permission from the land-owner.
- The City of La Vista's *Accessory and Light Remodeling Permit* and \$150 permit application fee for Tent.
- The City of La Vista's *Sign Permit* application (maximum of four signs) and applicable fee.
- The City of La Vista's *Explosive Materials Storage Permit* and \$100 permit application fee.
- Statement of Proposed Community Betterment Expenditures.
- Three *Statements of Annual Income for Fireworks Sales*.
- Insurance certificate (due by 12:00 noon on June 19th).
- State Fire Marshal Certificate (due by 12:00 noon on June 19th).
- \$2,000 Permit Fee Balance (due by 12:00 noon on June 19th).

108<sup>th</sup> & Giles  
La Vista, NE

S 108th St

Giles Rd



Key  
\* 4' x 8' Sign on Trailers



City of La Vista

Light Remodeling and Accessory Permit Application

8116 Park View Blvd, La Vista, NE 68128 Phone: 402-331-4343 Fax: 402-331-4375

The city is not responsible for permits taken out that were not allowable within your particular subdivision. We suggest that you consult your subdivision covenants before applying for permits. \*\* 2006 IRC (Int'l Residential Code) - Adopted Aug. 17, 2010\*\*

Date of Application 1/9/2015 Mail Permit to: (circle) Contractor Owner: Permit #

Project Address: 10763 HILLCREST PLAZA Lot Number: 4 Subdivision VAL VISTA Is this a rental property: Yes No

Print Applicant Name/Address: La Vista Youth and Community Betterment 7110 S. 79th Street, La Vista, NE 68128 Phone #: 402-597-3196

Print Owner Name/Address: 108 GILES, LLC 501 OLSON DRIVE, STE 210 PAVILLION Phone #: 402-935-1916

Print Contractor Name/Address: Same as Applicant Phone #:

CALL BEFORE YOU DIG! UNDERGROUND HOT LINE 888-711-5666 or 811

FENCE: Height: Type: Location: Est. Materials: \$ Fee: \$

- Site plan required showing fence location, type and height
Fence posts must be set in concrete 24" minimum depth for wood and chain link
Fence location on or into fence owners property (may require survey).
All wood pickets or boards to face to the outside
Front yard fences need to be 12-1/2' from curb & no more than 4' high—open picket, split rail & chain link(2006 IRC)
Sideyard fences, on a corner lot, need to be 12-1/2' from the curb or off the right of way

SHED: Height: Type: Location: Est. Materials: \$ Fee: \$

- Site plan of property required showing shed location and spacing
Shed MUST BE located a minimum of 5 feet from the rear and side property line/s.
Concrete slab shed floor to have 1/2" dia. anchor bolts at max. 8'0" o.c. spacing for shed tie-down
Wood floors of sheds must be provided with 4 shed tie-downs anchors to meet city code
Maximum shed height 17', or less if restricted by local governing covenants (15').
Shed MUST BE located a minimum of 6'0" from any structure, or fire proofed to meet city code.

DECK: Type: Location: Est. Materials: \$ Fee: \$

- Site plan of property showing house and deck location and size
Deck drawing required showing the following:
a. Over-all deck size and stair location
b. Uncovered decks must be a distance of 15 feet from rear property lines; and, 5 feet from side property lines.
c. Decks must be 6 feet from any other detached structure
d. Post hole locations require 42" deep frost footings when attached to the house
e. Indicate size of wood beam on your drawing; and, know that column post sizes must be 6" x 6"
f. Indicate wood joist sizes and spacing measurement
g. Ledger beam attached to house with 1/2" dia. lag bolts that are 5" long (or equiv.) at 24" on center (staggered)
h. Galvanized joist hangers at ledger beam
i. Handrails to be 3'0" high with vertical spindle spacing not more than 4" apart
j. Stair detail as provided by City
k. Call for footing inspection once holes are dug, prior to filling. When project completed, call for final.

CURB-CUT / DRIVEWAYS / SIDEWALK

Curb Cut/Grind Width: Driveway Width: Driveway Length: Sidewalk Length: Concrete Depth: Fee: \$
Driveways must meet specifications of City Code & MUST be inspected before pouring

OTHER ACCESSORY PROJECTS - Roofing, Siding, Windows, etc.

Describe Project: Tent Estimated Materials: \$
Length: 60' Width: 60' # Door/s: # Window/s: Fee: \$ 150.00
Remarks: Set up 6-20 Tear down 7-4

Total of all FEES DUE: \$

Applicant certifies that this information has been read, understood and that projects will be constructed in compliance with all city ordinances; that all information is correct; and, that inspections will be requested.

Please phone 24 hours in advance for a final on all projects and any other inspections as noted above.

Signature of Applicant: Audien M. Means Date: 1-12-15

Approved By City Official: Permit Clerk
Date of Approval:

City of La Vista  
 Community Development Department  
 8116 Park View Blvd  
 La Vista, NE 68133  
 (402) 331-4343

# SIGN PERMIT APPLICATION



**(Please see other side for submittal requirements)**

Street Address of Sign Location: 10763 HILLCREST PLAZA

**Applicant Information**

Company Name: La Vista Youth Contact: Andrea Means

Address: 7110 S. 79th Street City: La Vista State NE Zip 68128

Phone: (402) 597-3196 Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Business/Organization (that is the subject of the sign)**

Company Name: Same as above Contact: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Sign Type**

- Temporary Sign - Date(s) of display (required): 6/24/15 - 7/4/15
- Wall Sign - Side of building displaying the sign: ( N S E W ) Width of this façade: \_\_\_\_\_ ft.
- Incidental/Directional Sign - Length of storefront: \_\_\_\_\_ ft.
- Monument - Setback from nearest property line: \_\_\_\_\_ ft.
- Center Identification - Setback from nearest property line: \_\_\_\_\_ ft.
- Common Signage Plan     Master Signage Plan     Other: \_\_\_\_\_

Illumination:     None     Internal     External    Describe: \_\_\_\_\_

Number of lot sides abutting street: \_\_\_\_\_

Are any existing signs at this location to remain?     Yes     No

If yes, total number and types of signs at this business location: \_\_\_\_\_

**Sign Size**

Sign width 4'    Sign height 8'    Total square feet 32'    Height from grade to top of sign 6 ft.

**Applicant's Signature**

I believe that all of the information on this application and on drawings submitted in support of this application is accurate. I understand that any sign which is installed that is inconsistent or in conflict with this application, the supporting drawings, or the sign regulations contained in the City's Unified Development Ordinance is a violation of the City of La Vista municipal code. I further understand that the inadvertent approval of a sign application by the City that is not in compliance with the sign regulations does not create any legal nonconforming status nor does it remove any obligation to bring the sign into compliance. I understand that no sign shall be installed until a sign permit has been approved by the City of La Vista and the associated sign fee has been paid. Once a sign permit has been approved, all sign installation work must be completed in six months or the permit will expire.

Andrea M. Means  
 (Signature of Applicant)

1-12-2015  
 (Date)

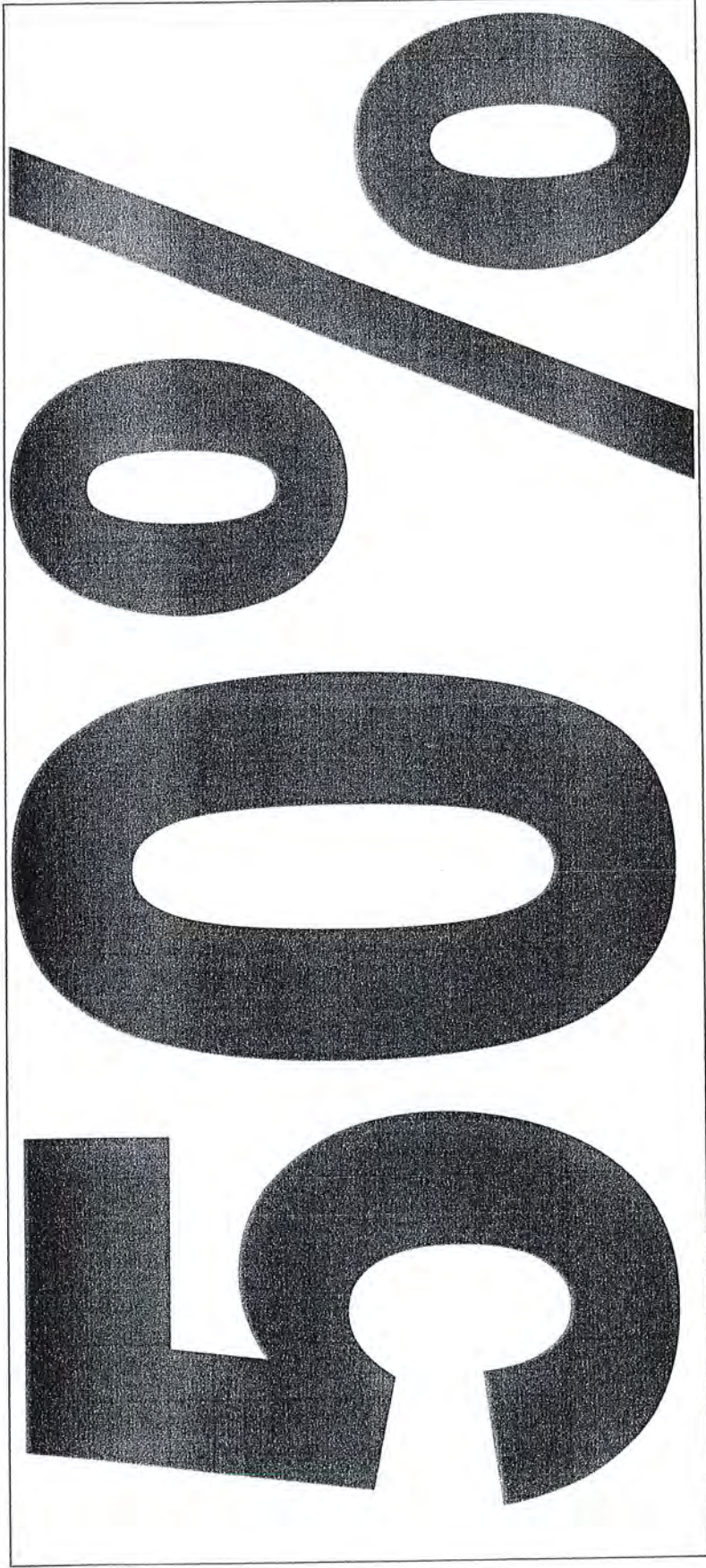
**Office Use Only**

Rec'd By	Date Rec'd	# of Temp Signs this Year	Zoning at Sign Site at site

Sign Permit Fee	Plan Fee	Total Fee

- Approved    Condition(s): \_\_\_\_\_
- Disapproved    Reason(s): \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_



Height: 4 feet

Width: 8 Feet

Total Square Footage: 32 Square Feet

Sign Material: Vinyl Banner

**CITY OF LA VISTA, NEBRASKA**  
**PERMIT APPLICATION EXPLOSIVE MATERIALS STORAGE**

Pursuant to §91.46 of the La Vista Municipal Code any person desiring to store or keep for any period of time explosive materials defined in Neb. RS 28-1213, shall file with the City Clerk an application for an explosive material storage permit.

**PLEASE TYPE OR PRINT CLEARLY**

Name of Applicant Andrea Means Today's Date 1/9/15

Age of Applicant Over 25 years old

Street Address 7110 S. 79th Street

City La Vista State NE Zip 68128

Phone (daytime) 402-597-3196 (evening) (402) 515-5192

Name of Employer Door Express

Street Address of Employer 726 N. Frontier

City Papillion State NE Zip 68046

Have you been instructed in the use of Explosives  yes  no

If yes, by whom? The Distributor

What type of instruction Sales, Safety, & Storage

Date of instruction 6/2012 Length of time of instruction 2 Hours

List your experience in the use of explosives, giving three distinct examples of the type and usage you have personally done  
7 years experience in sales of Class "C" consumer fireworks, safety or Class "C" consumer fireworks, and storage of Class "C" consumer fireworks.

List the type of explosives you have been trained on and used Class "C" consumer fireworks

Enclose copies of any training certificate, explosive permits from other states or other pertinent documentation.

**CERTIFICATION AND RELEASE**

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

Andrea M. Means  
Signature of Applicant

Andrea M. Means  
Printed Name of Applicant

**FOR CITY HALL USE ONLY**

Date Received: \_\_\_\_\_

Received by: \_\_\_\_\_

\$100 permit application fee.

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF PROPOSED COMMUNITY BETTERMENT EXPENDITURES

Pursuant to §111.17 of the La Vista Municipal Code, only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

PLEASE TYPE AND LIMIT STATEMENT TO THIS PAGE ONLY

Name of Nonprofit Organization LA VISTA YOUTH & COMMUNITY BETTERMENT

State Sales Tax ID 8187363

PROCEEDS FROM THE RETAIL SALE OF FIREWORKS  
IS DONATE TO THE LA VISTA COMMUNITY FOUNDATION  
AND THE DISTRIBUTE THE DONATION THROUGHOUT  
THE COMMUNITY AS THEY DEEM FIT.

CERTIFICATION AND RELEASE

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

Andrea M. Means  
Signature of Organization Official

Andrea M. Means  
Printed Name of Organization Official

President  
Title of Organization Official





Permit Year 2015

**CITY OF LA VISTA, NEBRASKA**  
**STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES**  
**IN PERMIT YEAR 2014**

Pursuant to §111.17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

*Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.*

**PLEASE TYPE OR PRINT CLEARLY**

Name of Nonprofit Organization La Vista Youth & Community Betterment

**Annual Income**  
Gross Fireworks Sales \$41,637.50

**Expenses**

Wholesale Cost of Fireworks (please provide copy of invoice)	<u>\$8,144.33</u>
State Sales Tax	<u>\$2,914.63</u>
Permit Fees:	
Local	<u>\$2,750.00</u>
State	<u>\$26.63</u>
Insurance	<u>\$1,778.78</u>
Rent or Lease Expenses	<u>\$5,500.00</u>
Advertising	<u>\$2,134.53</u>
Miscellaneous (please describe) Tent	<u>\$3,500.00</u>
Utility usage, Installation	
• <u>Lights, Electrical &amp; Phone</u>	<u>\$1,956.65</u>
Registers, Tables, Credit Card	
• <u>Machines, Fire, Safety &amp; Other Equip.</u>	<u>\$3,379.67</u>
Product Shrink, Bad Credit Cards,	
• <u>Discounts given to members</u>	<u>\$2,490.29</u>
• <u>Security</u>	<u>\$1,000.00</u>
Total Expenses	<u>\$35,575.50</u>
Net Proceeds (profits)	<u>\$6,062.00</u>

◆◆◆◆◆

Permit Year 2014

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
IN PERMIT YEAR 2013

Pursuant to §111.17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

*Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.*

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization La Vista Youth and Community Betterment

Annual Income

Gross Fireworks Sales \$41,386.62

Expenses

Wholesale Cost of Fireworks \$7,583.05

(please provide copy of invoice)

State Sales Tax \$2,897.06

Permit Fees:

Local \$2,750.00

State \$26.63

Insurance \$1,652.29

Rent or Lease Expenses \$5,500.00

Advertising \$2,313.22

Miscellaneous (please describe) Tent \$3,500.00

Utility usage, Installation

• Lights, Electrical & Phone \$1,982.74

Registers, Tables, Credit Card

• Machines, Fire Safety & Other Equip. \$3,745.18

Product Shrink, Bad Checks or Credit

• Cards, Discounts Given to Members \$3,414.59

• Security \$1,000.00

Total Expenses \$36,364.76

Net Proceeds (profits) \$5,021.86

◆◆◆◆◆

Permit Year 2013

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
IN PERMIT YEAR 2012

Pursuant to §111:17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization LA VISTA YOUTH & COMMUNITY BETTERMENT

Annual Income  
Gross Fireworks Sales \$ 52,950.77

Expenses  
Wholesale Cost of Fireworks 18,137.67  
(please provide copy of invoice)

State Sales Tax 3,706.55

Permit Fees:  
Local 2,750.00

State 26.63

Insurance 1,502.08

Rent or Lease Expenses 5,500.00

Advertising 2,102.93

Miscellaneous (please describe): TENT 3,041.40

• UTILITIES USAGE INSTALLATION 1,802.49  
LIGHTS ELECTRICAL ; PHONE

• REGISTERS, TABLES, CREDIT CARD 3,404.71  
MACHINES, FIRE SAFETY ; OTHER EQUIPMENT

• PRODUCT SHRINK, BAD CHECKS OR CREDIT 3,104.17  
CARDS, DISCOUNTS, GIVEN TO MEMBERS

• SECURITY 1,000.00

Total Expenses \$46,078.58

Net Proceeds (profits) \$ 6,872.12

\*\*\*\*\*

Permit Year 2015

**CERTIFICATION AND RELEASE**

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

Andrea M. Means

Signature of Organization Official

President

Title of Organization Official

Andrea M. Means

Printed Name of Organization Official

\_\_\_\_\_  
Signature of Organization Official

\_\_\_\_\_  
Printed Name of Organization Official

\_\_\_\_\_  
Title of Organization Official

**CITY OF LA VISTA, NEBRASKA  
PERMIT APPLICATION  
SALE OF PERMISSIBLE FIREWORKS**

Pursuant to §111.17 of the La Vista Municipal Code it shall be unlawful for any person to sell, hold for sale or offer for sale any permissible fireworks within the corporate limits of the City of La Vista unless such person has first obtained a permit. Only nonprofit organizations and associations using volunteer salespersons and which will use the net proceeds from the sale of fireworks for community betterment purposes within the City of La Vista shall be eligible for a permit.

**PLEASE TYPE OR PRINT CLEARLY**

Name of Nonprofit Organization LaVista Youth Baseball Association Today's Date 1/9/2015  
 Street Address 8506 Birch Drive  
 City La Vista State NE Zip 68128  
 Contact Person Karen Cahill Phone (daytime) (402) 339-4385 (evening) (402)-968-7725

**APPLICANT READ**

This permit application is used by the City Council to evaluate your organization's qualifications for a Fireworks Permit. Please answer all questions completely and accurately. Failure to submit the application pursuant to the deadlines contained herein or submission of an incomplete application may result in denial of a permit. The City is not responsible for determining whether your application is complete at the time of submission nor will you be allowed to submit additional information after the deadlines noted herein.

**To be eligible for City Council review, each application submittal must include the following in one packet:**

- ✓ Completed Permit Application Form and a \$500 permit application deposit fee received at City Hall, 8116 Park View Boulevard, La Vista, NE, 68128, no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday). If your permit is denied, \$400 of this fee will be refunded to your organization. If you are issued a permit, the remaining amount of the permit application fee as established in the Master Fee Ordinance will be due and payable to the City of La Vista no later than noon on June 21 of the permit year to receive permit.
- ✓ A site plan on 8 ½" x 11" paper which details the dimensions, location and distance between all proposed components of your group's fireworks stand (including but not limited to: tent, storage, garbage, portable restrooms, signs, parking, etc.) The site plan must be neat and legible, with an attempt made to show components as close to scale as possible.
- ✓ A signed statement from the land-owner where your proposed fireworks sales will occur, granting permission to your organization to utilize the property (written permission from retail store managers is not acceptable).
- ✓ The City of La Vista's *Accessory and Light Remodeling Permit* and the permit application fee as established in the Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday), for your tent (please note, no more than one tent is allowed). Your permit must note the proposed date and time of your site set up. Please contact the Chief Building Official for assistance in completing this permit. If your permit application is denied, this fee will be refunded.
- ✓ The City of La Vista's *Sign Permit* and the permit application fee per sign (maximum of four), as established in the Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday), for any and all temporary signage. (The size and location of signs must be in compliance with the City's zoning regulations regarding temporary signs.) Please contact the Chief Building Official for assistance in completing this permit. If your permit is denied, this fee will be refunded.
- ✓ The City of La Vista's *Explosive Materials Storage Permit* and the permit application fee as established in the

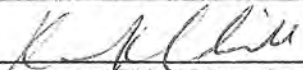
Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday). If your permit is denied, \$100 of this fee is refunded to your organization.

- ✓ A signed City of La Vista *Statement of Proposed Community Betterment Expenditures* from your organization describing in detail how net proceeds from the sale of fireworks will be used for Community Betterment in the City of La Vista must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday).
- ✓ If your organization has held a permit in any of the three (3) years preceding this application, a City of La Vista *Statement of Annual Income for Fireworks Sales* must be completed for each of the three years and received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday).
- ✓ If the permit is approved your organization will need to furnish to City Hall no later than noon on June 21st of the permit year an insurance certificate meeting the requirements outlined in City Code.
- ✓ If the permit is approved your organization will need to furnish to City Hall no later than noon on June 21st of the permit year, the balance of the permit fee in the amount of \$2,000 and a State Fire Marshal Certificate meeting the requirements outlined in City Code.

#### CERTIFICATION AND RELEASE

I certify that I have read and understand the "Applicant Read" paragraph on page one of this permit application and that all information, statements, materials and permits submitted as a part of this Permit Application are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information. I also understand that the use or sales of illegal fireworks is prohibited. I hereby further provide written assurance that this organization will file a certificate of insurance issued by an insurance company in good standing, authorized to do business in Nebraska, providing liability insurance in the amounts and for the coverages required by the City Council. I understand this certificate of insurance is a condition of issuance of the permit.

**PERMITS WILL NOT BE ISSUED UNTIL YOUR SITE HAS BEEN INSPECTED AND PASSED.**

  
Signature and Title of Organization Official

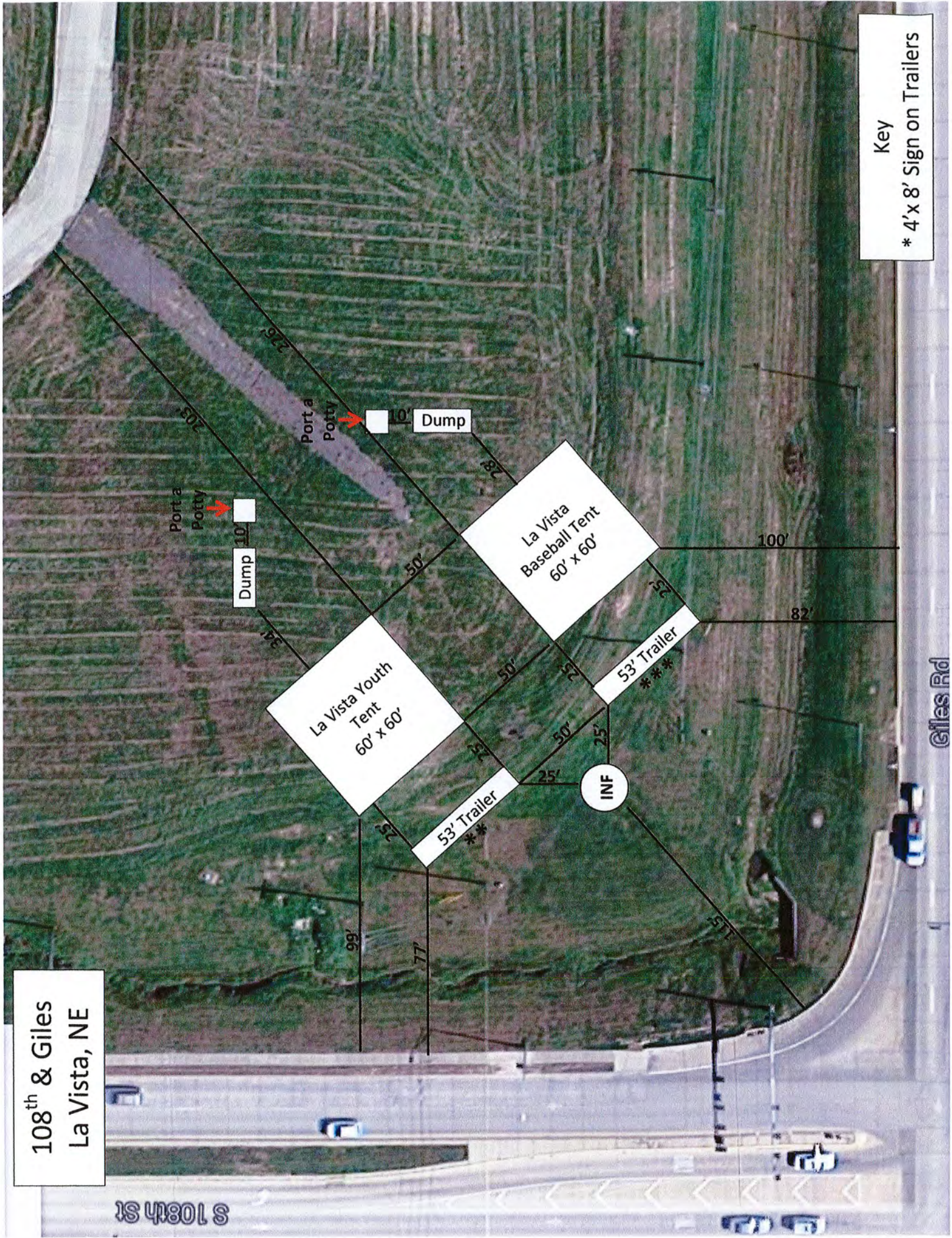
   
Printed Name of Organization Official

#### FOR CITY HALL USE ONLY

Date Received: \_\_\_\_\_ Received by: \_\_\_\_\_

- \$500 permit application deposit fee.
- Site Plan.
- A written statement of permission from the land-owner.
- The City of La Vista's *Accessory and Light Remodeling Permit* and \$150 permit application fee for Tent.
- The City of La Vista's *Sign Permit* application (maximum of four signs) and applicable fee.
- The City of La Vista's *Explosive Materials Storage Permit* and \$100 permit application fee.
- Statement of Proposed Community Betterment Expenditures.
- Three *Statements of Annual Income for Fireworks Sales*.
- Insurance certificate (due by 12:00 noon on June 19th).
- State Fire Marshal Certificate (due by 12:00 noon on June 19th).
- \$2,000 Permit Fee Balance (due by 12:00 noon on June 19th).

108<sup>th</sup> & Giles  
La Vista, NE



Key  
\* 4' x 8' Sign on Trailers



# PERMISSION TO OCCUPY

I hereby give La Vista Youth Baseball Association permission to occupy my property at 108<sup>th</sup> & Giles Road, La Vista, Nebraska, to operate a retail fireworks stand from June 20<sup>th</sup> to July 6<sup>th</sup>.

Roll The Bones LLC *Eg Guller*  
Roll The Bones L.L.C.



Bellino Fireworks, Inc.  
501 Olson Drive, Suite 210 Papillion, NE 68046  
402-935-1916

## Permission to Occupy Property for the Sale of Fireworks

108 Gils LLC gives Bellino Fireworks, Inc.  
permission to occupy its property for the sale of fireworks subject to  
the lease terms between the parties unless property is sold or not  
available for use during the fireworks season.

Valmi Bellini

Representative



City of La Vista

Light Remodeling and Accessory Permit Application

8116 Park View Blvd, La Vista, NE 68128 Phone: 402-331-4343 Fax: 402-331-4375

The city is not responsible for permits taken out that were not allowable within your particular subdivision. We suggest that you consult your subdivision covenants before applying for permits.

\*\* 2006 IRC (Int'l Residential Code) - Adopted Aug. 17, 2010\*\*

Date of Application 1/9/2015 Mail Permit to: (circle) Contractor Owner: Permit #

Project Address: 10723 Hillcrest Plaza Lot Number: 3 Subdivision Val Vista Replat 1 Is this a rental property: Yes No

Print Applicant Name/Address: Karen Cahill/LaVista Youth Baseball Association 8506 Birch Drive, La Vista, NE 68128 Phone #:

Print Owner Name/Address: 108 Giles LLC 501 Olson Drive Suite 210, Papillion, NE 68046 Phone #: (402) 935-1916

Print Contractor Name/Address: Same as Applicant Phone #:

CALL BEFORE YOU DIG! UNDERGROUND HOT LINE 888-711-5666 or 811

FENCE: Height: Type: Location: Est. Materials: \$ Fee: \$

- Site plan required showing fence location, type and height
Fence posts must be set in concrete 24" minimum depth for wood and chain link
Fence location on or into fence owners property (may require survey).
All wood pickets or boards to face to the outside
Front yard fences need to be 12-1/2' from curb & no more than 4' high—open picket, split rail & chain link(2006 IRC)
Sideyard fences, on a corner lot, need to be 12-1/2' from the curb or off the right of way

SHED: Height: Type: Location: Est. Materials: \$ Fee: \$

- Site plan of property required showing shed location and spacing
Shed MUST BE located a minimum of 5 feet from the rear and side property line/s.
Concrete slab shed floor to have 1/2" dia. anchor bolts at max. 6'0" o.c. spacing for shed tie-down
Wood floors of sheds must be provided with 4 shed tie-downs anchors to meet city code
Maximum shed height 17', or less if restricted by local governing covenants (15').
Shed MUST BE located a minimum of 6'0" from any structure, or fire proofed to meet city code.

DECK: Type: Location: Est. Materials: \$ Fee: \$

- Site plan of property showing house and deck location and size
Deck drawing required showing the following:
a. Over-all deck size and stair location
b. Uncovered decks must be a distance of 15 feet from rear property lines; and, 5 feet from side property lines.
c. Decks must be 6 feet from any other detached structure
d. Post hole locations require 42" deep frost footings when attached to the house
e. Indicate size of wood beam on your drawing; and, know that column post sizes must be 6" x 6"
f. Indicate wood joist sizes and spacing measurement
g. Ledger beam attached to house with 1/2" dia. lag bolts that are 5" long (or equiv.) at 24" on center (staggered)
h. Galvanized joist hangers at ledger beam
i. Handrails to be 3'0" high with vertical spindle spacing not more than 4" apart
j. Stair detail as provided by City
k. Call for footings inspection once holes are dug, prior to filling. When project completed, call for final.

CURB-CUT / DRIVEWAYS / SIDEWALK

Curb Cut/Grind Width: Driveway Width: Driveway Length: Sidewalk Length: Concrete Depth: Fee: \$

Driveways must meet specifications of City Code & MUST be inspected before pouring

OTHER ACCESSORY PROJECTS – Roofing, Siding, Windows, etc.

Describe Project: Tent Estimated Materials: \$ Length: 60' Width 60' # Door/s: # Window/s: Fee: \$ 150.00 Remarks: Set up 6-20 Tear down 7-4

Total of all FEES DUE: \$

Applicant certifies that this information has been read, understood and that projects will be constructed in compliance with all city ordinances; that all information is correct; and, that inspections will be requested.

Please phone 24 hours in advance for a final on all projects and any other inspections as noted above.

Signature of Applicant: [Signature] Date: 1/12/15

Approved By City Official: Permit Clerk Date of Approval:

City of La Vista  
 Community Development Department  
 8116 Park View Blvd  
 La Vista, NE 68133  
 (402) 331-4343

# SIGN PERMIT APPLICATION



(Please see other side for submittal requirements)

Street Address of Sign Location: 10723 Hillcrest Plaza

**Applicant Information**

Company Name: LaVista Youth Baseball Association Contact: Karen Cahill

Address: 8506 Birch Drive City: La Vista State NE Zip 68128

Phone: (402) 339-4385 Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Business/Organization (that is the subject of the sign)**

Company Name: Same as above Contact: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Sign Type**

- Temporary Sign - Date(s) of display (required): 6/24/15 - 7/4/15
- Wall Sign – Side of building displaying the sign: ( N S E W ) Width of this façade: \_\_\_\_\_ ft.
- Incidental/Directional Sign - Length of storefront: \_\_\_\_\_ ft.
- Monument - Setback from nearest property line: \_\_\_\_\_ ft.
- Center Identification - Setback from nearest property line: \_\_\_\_\_ ft.
- Common Signage Plan     Master Signage Plan     Other: \_\_\_\_\_

Illumination:     None     Internal     External    Describe: \_\_\_\_\_

Number of lot sides abutting street: \_\_\_\_\_

Are any existing signs at this location to remain?     Yes     No

If yes, total number and types of signs at this business location: \_\_\_\_\_

**Sign Size**

Sign width 4' Sign height 8' Total square feet 32' Height from grade to top of sign \_\_\_\_\_ 6 ft.

**Applicant's Signature**

I believe that all of the information on this application and on drawings submitted in support of this application is accurate. I understand that any sign which is installed that is inconsistent or in conflict with this application, the supporting drawings, or the sign regulations contained in the City's Unified Development Ordinance is a violation of the City of La Vista municipal code. I further understand that the inadvertent approval of a sign application by the City that is not in compliance with the sign regulations does not create any legal nonconforming status nor does it remove any obligation to bring the sign into compliance. I understand that no sign shall be installed until a sign permit has been approved by the City of La Vista and the associated sign fee has been paid. Once a sign permit has been approved, all sign installation work must be completed in six months or the permit will expire.

*Karen Cahill*  
 (Signature of Applicant)

1/12/15  
 (Date)

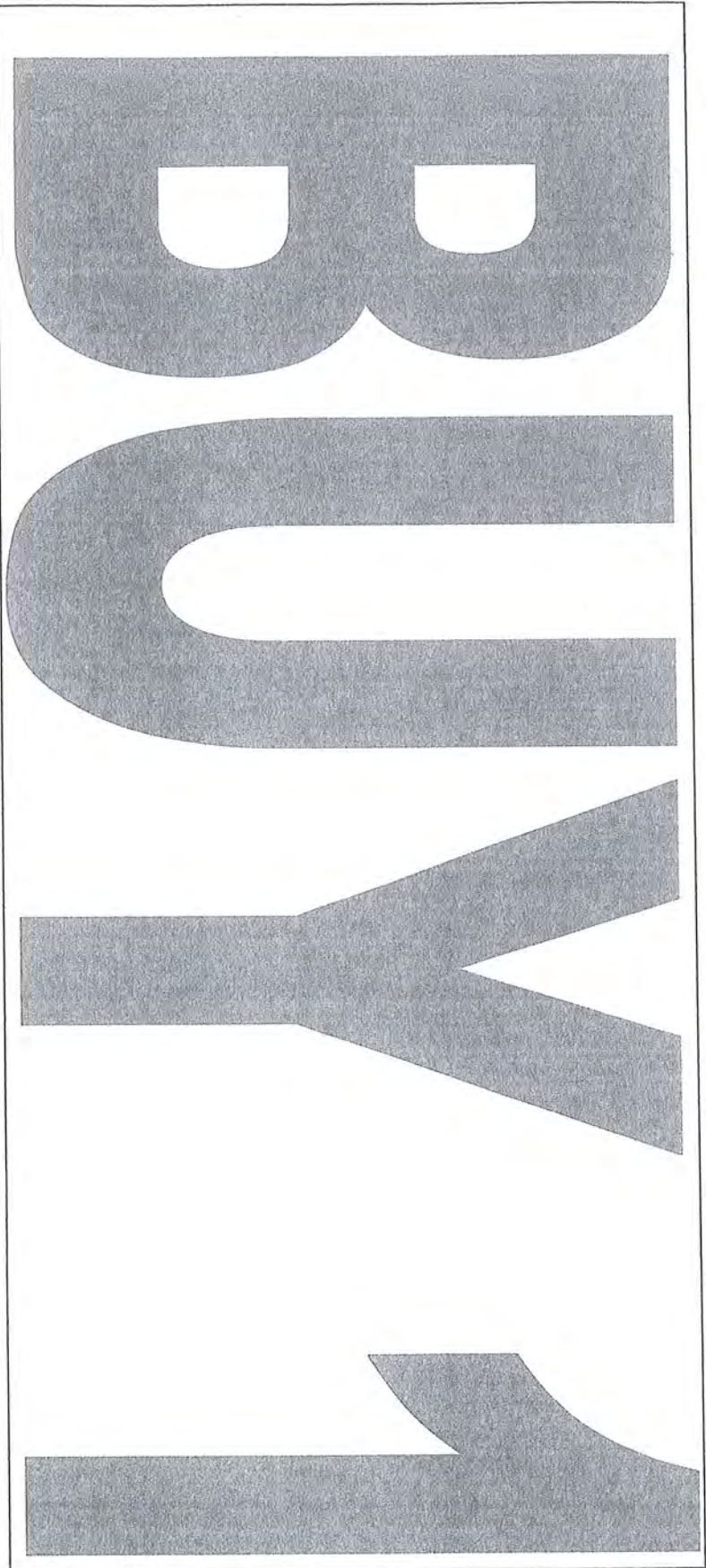
**Office Use Only**

Rec'd By	Date Rec'd	# of Temp Signs this Year	Zoning at Sign Site at site

Sign Permit Fee	Plan Fee	Total Fee

- Approved    Condition(s): \_\_\_\_\_
- Disapproved    Reason(s): \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

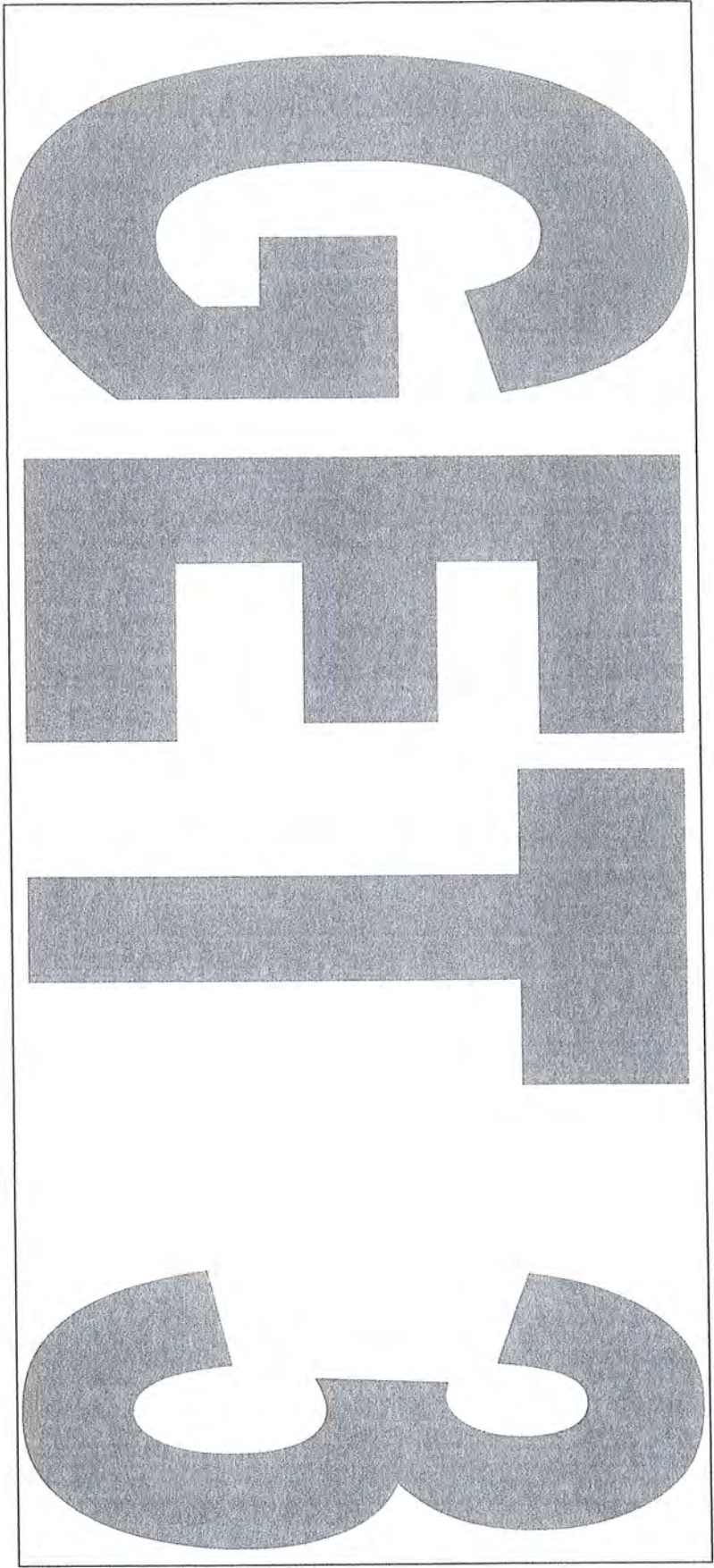


**Height: 4 feet**

**Width: 8 Feet**

**Total Square Footage: 32 Square Feet**

**Sign Material: Vinyl Banner**

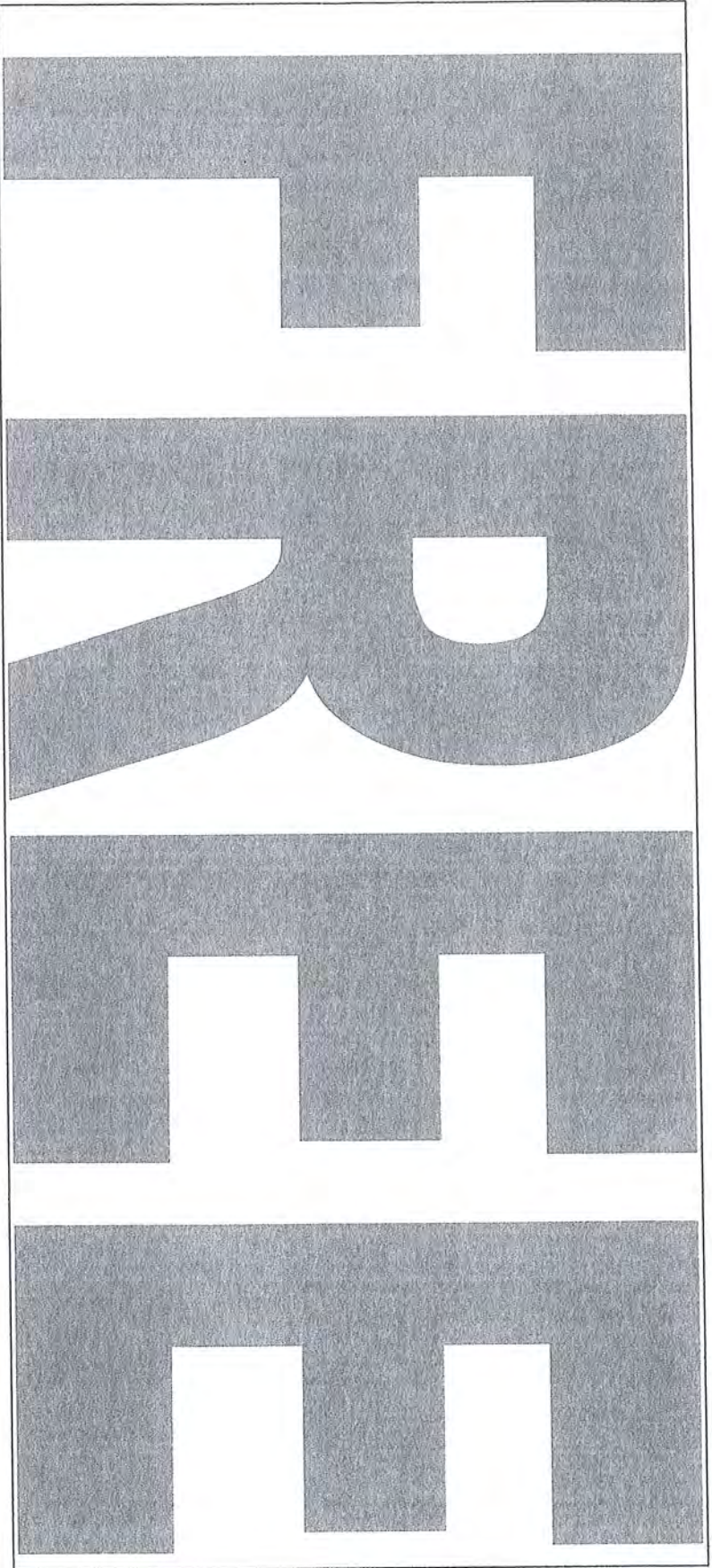


**Height: 4 feet**

**Width: 8 Feet**

**Total Square Footage: 32 Square Feet**

**Sign Material: Vinyl Banner**



**Height: 4 feet**

**Width: 8 Feet**

**Total Square Footage: 32 Square Feet**

**Sign Material: Vinyl Banner**

**CITY OF LA VISTA, NEBRASKA**  
**PERMIT APPLICATION EXPLOSIVE MATERIALS STORAGE**

Pursuant to §91.46 of the La Vista Municipal Code any person desiring to store or keep for any period of time explosive materials defined in Neb. RS 28-1213, shall file with the City Clerk an application for an explosive material storage permit.

**PLEASE TYPE OR PRINT CLEARLY**

Name of Applicant Karen Cahill Today's Date 1/9/15

Age of Applicant Over 25 years old

Street Address 8506 Birch Drive

City La Vista State NE Zip 68128

Phone (daytime) 402-339-4385 (evening) (402)968-7725

Name of Employer Homemaker

Street Address of Employer \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Have you been instructed in the use of Explosives  yes  no

If yes, by whom? The Distributor

What type of instruction Sales, Safety, & Storage

Date of instruction 6/12 Length of time of instruction 2 Hours


List your experience in the use of explosives, giving three distinct examples of the type and usage you have personally done  
6 years experience in sales of Class "C" consumer fireworks, safety or Class "C" consumer fireworks, and storage of Class "C" consumer fireworks.

List the type of explosives you have been trained on and used Class "C" consumer fireworks

Enclose copies of any training certificate, explosive permits from other states or other pertinent documentation.

**CERTIFICATION AND RELEASE**

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

  
Signature of Applicant

Karen K Cahill  
Printed Name of Applicant

**FOR CITY HALL USE ONLY**

Date Received: \_\_\_\_\_

Received by: \_\_\_\_\_



CITY OF LA VISTA, NEBRASKA  
STATEMENT OF PROPOSED COMMUNITY BETTERMENT EXPENDITURES

Pursuant to §111.17 of the La Vista Municipal Code, only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

PLEASE TYPE AND LIMIT STATEMENT TO THIS PAGE ONLY

Name of Nonprofit Organization LA VISTA YOUTH BASEBALL ASSOCIATION

State Sales Tax ID 001-010561412

YOUTH SCHOLARSHIPS  
UNIFORMS FOR 72 PLAYERS  
EQUIPMENT  
UMPIRE FEES  
FIELD RENTAL  
COMMUNITY SERVICE PROJECTS

CERTIFICATION AND RELEASE

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

K. McClintock  
Signature of Organization Official

Karen K. Carter  
Printed Name of Organization Official

President  
Title of Organization Official

Annual Expenditures of Net Proceeds

Date	Project Description or Event & Who Participated	Location	Cost
4/14	Sponsorships for Organizational Seniors (Women Players)	LA Visor	\$ 2,000
4/14	Equipment & uniforms for All Players	LA Visor	\$ 6,000
6/14	Party for Life, Fun Party	LA Visor	\$ 1,000
5/14	Donations Knowledge Assistance for (Amateur into otherwise common not play)	LA Visor	\$ 1,000
7/14	Lump sum fees for Season	LA Visor	\$ 5,450
<b>Total Community Betterment Expenditures</b>			\$ 15,450

Please detail costs associated with projects and/or events.

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
IN PERMIT YEAR 2014

Pursuant to §111.17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

*Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.*

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization La Vista Youth Baseball Association

**Annual Income**  
Gross Fireworks Sales \$82,366.50

- Expenses**
- Wholesale Cost of Fireworks \$29,715.58  
(please provide copy of invoice)
  - State Sales Tax \$5,765.66
  - Permit Fees:
    - Local \$2,750.00
    - State \$26.63
  - Insurance \$3,489.39
  - Rent or Lease Expenses \$4,000.00
  - Advertising \$4,187.27
  - Miscellaneous (please describe) Tent \$3,500.00  
Utility usage, Installation
  - Lights, Electrical & Phone \$3,838.33  
Registers, Tables, Credit Card
  - Machines, Fire, Safety & Other Equip. \$6,629.85
  - Product Shrink, Bad Credit Cards, \$4,885.15  
Discounts given to members
  - Security \$1,000.00

Total Expenses \$69,787.86

Net Proceeds (profits) \$12,578.64



**CITY OF LA VISTA, NEBRASKA**  
**STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES**  
**IN PERMIT YEAR 2013**

Pursuant to §111.17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

*Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.*

**PLEASE TYPE OR PRINT CLEARLY**

Name of Nonprofit Organization La Vista Youth Baseball Association

**Annual Income**  
 Gross Fireworks Sales \$69,545.43

<b>Expenses</b>		
Wholesale Cost of Fireworks (please provide copy of invoice)	<u>\$20,459.27</u>	
State Sales Tax	<u>\$4,868.18</u>	
Permit Fees:		
Local	<u>\$2,750.00</u>	
State	<u>\$26.63</u>	
Insurance	<u>\$3,140.09</u>	
Rent or Lease Expenses	<u>\$4,000.00</u>	
Advertising	<u>\$4,077.59</u>	
Miscellaneous (please describe) Tent	<u>\$3,500.00</u>	
• Utility usage, Installation Lights, Electrical & Phone	<u>\$3,768.13</u>	
• Registers, Tables, Credit Card Machines, Fire Safety & Other Equip.	<u>\$7,117.14</u>	
• Product Shrink, Bad Checks or Credit Cards, Discounts Given to Members	<u>\$5,311.13</u>	
• Security	<u>\$1,000.00</u>	
<b>Total Expenses</b>		<u>\$60,018.16</u>
<b>Net Proceeds (profits)</b>		<u>\$9,527.27</u>

◆◆◆◆◆

CITY OF LA VISTA, NEBRASKA  
 STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
 IN PERMIT YEAR 2012

Pursuant to §11:17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization LA VISTA YOUTH BASEBALL ASSOCIATION

Annual Income  
 Gross Fireworks Sales \$ 68,033.73

Expenses		
Wholesale Cost of Fireworks (please provide copy of invoice)	<u>19,882.41</u>	
State Sales Tax	<u>4,762.36</u>	
Permit Fees:		
Local	<u>2,750.00</u>	
State	<u>26.63</u>	
Insurance	<u>2,854.63</u>	
Rent or Lease Expenses	<u>6,000.00</u>	
Advertising	<u>3,706.90</u>	
Miscellaneous (please describe):	<u>3,041.40</u>	
TENT		
• UTILITIES USAGE INSTALLATION	<u>3,425.57</u>	
• LIGHTS ELECTRICAL PHONE		
• REGISTERS TABLES CREDIT CARD	<u>6,470.13</u>	
• MACHINES FIRE SAFETY OTHER EQUIPMENT		
• PRODUCT SHRINK BAD CHECKS OR CREDIT	<u>4,828.30</u>	
• CARDS DISCOUNTS GIVEN TO MEMBERS		
• SECURITY	<u>1,000.00</u>	
Total Expenses		<u>\$ 58,748.33</u>

Net Proceeds (profits) \$ 9,285.40



**CERTIFICATION AND RELEASE**

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

  
Signature of Organization Official

Karen K. Gamm  
Printed Name of Organization Official

Treasurer  
Title of Organization Official

\_\_\_\_\_  
Signature of Organization Official

\_\_\_\_\_  
Printed Name of Organization Official

\_\_\_\_\_  
Title of Organization Official



# NEBRASKA STATE FIRE MARSHAL

246 South 14th Street  
Lincoln, NE 68508-1804

## LICENSE FOR SALE OF FIREWORKS

Permissible fireworks may be sold at retail commencing 12:01 AM June 25 and ending 11:59 PM July 4 OR 12:01 AM December 29 and ending 11:59 PM December 31 and must be purchased from a licensed distributor or jobber. A jobber may not sell retail. Invoice copies for all fireworks must be kept available for inspection and must show the license number of the distributor or jobber. Fireworks may not be sold outside the city limits of an incorporated town or village. Violations of State Fire Marshal regulations may result in immediate revocation of this license.

### LICENSE GOOD ONLY FOR CALENDAR YEAR IN WHICH ISSUED

This copy signed, dated and numbered by the STATE FIRE MARSHAL constitutes issuance of a LICENSE pursuant to the provisions of Nebraska Revised Statute 28-1246 (1994 Supp.). Such license shall be displayed at licensee's place of business.

**DATE RECEIVED:**

January 09, 2015 05:53 PM

**TYPE OF LICENSE AND FEE:**

Retail Permit (July) - \$25.00

**LOCATION OF OUTLET FOR RETAIL SALE OF FIREWORKS:**

10743 Hillcrest Plaza  
Lavista  
Tent in vacant lot

**COUNTY:**

Sarpy

**STORAGE LOCATION:****DISTRIBUTOR(S)/JOBBER(S):**

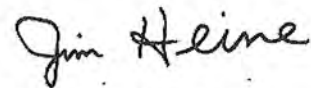
Bellino Fireworks, Inc. (2015-RP-11185648-4)

**SALES TAX NUMBER:**

001-010561412

**DATE ISSUED:**

January 09, 2015 12:42 PM



STATE FIRE MARSHAL

**LICENSE HOLDER:**

LaVista Youth Baseball Association

**LICENSE NUMBER:**

2015-RP-11362884-9-01



**CITY OF LA VISTA, NEBRASKA  
PERMIT APPLICATION  
SALE OF PERMISSIBLE FIREWORKS**

Pursuant to §111.17 of the La Vista Municipal Code it shall be unlawful for any person to sell, hold for sale or offer for sale any permissible fireworks within the corporate limits of the City of La Vista unless such person has first obtained a permit. Only nonprofit organizations and associations using volunteer salespersons and which will use the net proceeds from the sale of fireworks for community betterment purposes within the City of La Vista shall be eligible for a permit.

**PLEASE TYPE OR PRINT CLEARLY**

Name of Nonprofit Organization LaVista Youth Football & Cheer Today's Date 1/9/2015  
 Street Address 7507 Elizabeth St.  
 City La Vista State NE Zip 68128  
 Contact Person Joe Alcaraz Phone (daytime) (402) 630-5167 (evening) (402) 630-5157

**APPLICANT READ**

This permit application is used by the City Council to evaluate your organization's qualifications for a Fireworks Permit. Please answer all questions completely and accurately. Failure to submit the application pursuant to the deadlines contained herein or submission of an incomplete application may result in denial of a permit. The City is not responsible for determining whether your application is complete at the time of submission nor will you be allowed to submit additional information after the deadlines noted herein.

**To be eligible for City Council review, each application submittal must include the following in one packet:**

- ✓ Completed Permit Application Form and a \$500 permit application deposit fee received at City Hall, 8116 Park View Boulevard, La Vista, NE, 68128, no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday). If your permit is denied, \$400 of this fee will be refunded to your organization. If you are issued a permit, the remaining amount of the permit application fee as established in the Master Fee Ordinance will be due and payable to the City of La Vista no later than noon on June 21 of the permit year to receive permit.
- ✓ A site plan on 8 ½" x 11" paper which details the dimensions, location and distance between all proposed components of your group's fireworks stand (including but not limited to: tent, storage, garbage, portable restrooms, signs, parking, etc.) The site plan must be neat and legible, with an attempt made to show components as close to scale as possible.
- ✓ A signed statement from the land-owner where your proposed fireworks sales will occur, granting permission to your organization to utilize the property (written permission from retail store managers is not acceptable).
- ✓ The City of La Vista's *Accessory and Light Remodeling Permit* and the permit application fee as established in the Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday), for your tent (please note, no more than one tent is allowed). Your permit must note the proposed date and time of your site set up. Please contact the Chief Building Official for assistance in completing this permit. If your permit application is denied, this fee will be refunded.
- ✓ The City of La Vista's *Sign Permit* and the permit application fee per sign (maximum of four), as established in the Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday), for any and all temporary signage. (The size and location of signs must be in compliance with the City's zoning regulations regarding temporary signs.) Please contact the Chief Building Official for assistance in completing this permit. If your permit is denied, this fee will be refunded.
- ✓ The City of La Vista's *Explosive Materials Storage Permit* and the permit application fee as established in the


Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday). If your permit is denied, \$100 of this fee is refunded to your organization.

- ✓ A signed City of La Vista *Statement of Proposed Community Betterment Expenditures* from your organization describing in detail how net proceeds from the sale of fireworks will be used for Community Betterment in the City of La Vista must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday).
- ✓ If your organization has held a permit in any of the three (3) years preceding this application, a City of La Vista *Statement of Annual Income for Fireworks Sales* must be completed for each of the three years and received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday).
- ✓ If the permit is approved your organization will need to furnish to City Hall no later than noon on June 21st of the permit year an insurance certificate meeting the requirements outlined in City Code.
- ✓ If the permit is approved your organization will need to furnish to City Hall no later than noon on June 21st of the permit year, the balance of the permit fee in the amount of \$2,000 and a State Fire Marshal Certificate meeting the requirements outlined in City Code.

### CERTIFICATION AND RELEASE

I certify that I have read and understand the "Applicant Read" paragraph on page one of this permit application and that all information, statements, materials and permits submitted as a part of this Permit Application are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information. I also understand that the use or sales of illegal fireworks is prohibited. I hereby further provide written assurance that this organization will file a certificate of insurance issued by an insurance company in good standing, authorized to do business in Nebraska, providing liability insurance in the amounts and for the coverages required by the City Council. I understand this certificate of insurance is a condition of issuance of the permit.

**PERMITS WILL NOT BE ISSUED UNTIL YOUR SITE HAS BEEN INSPECTED AND PASSED.**

  
\_\_\_\_\_  
Signature and Title of Organization Official

  
\_\_\_\_\_  
Printed Name of Organization Official

### FOR CITY HALL USE ONLY

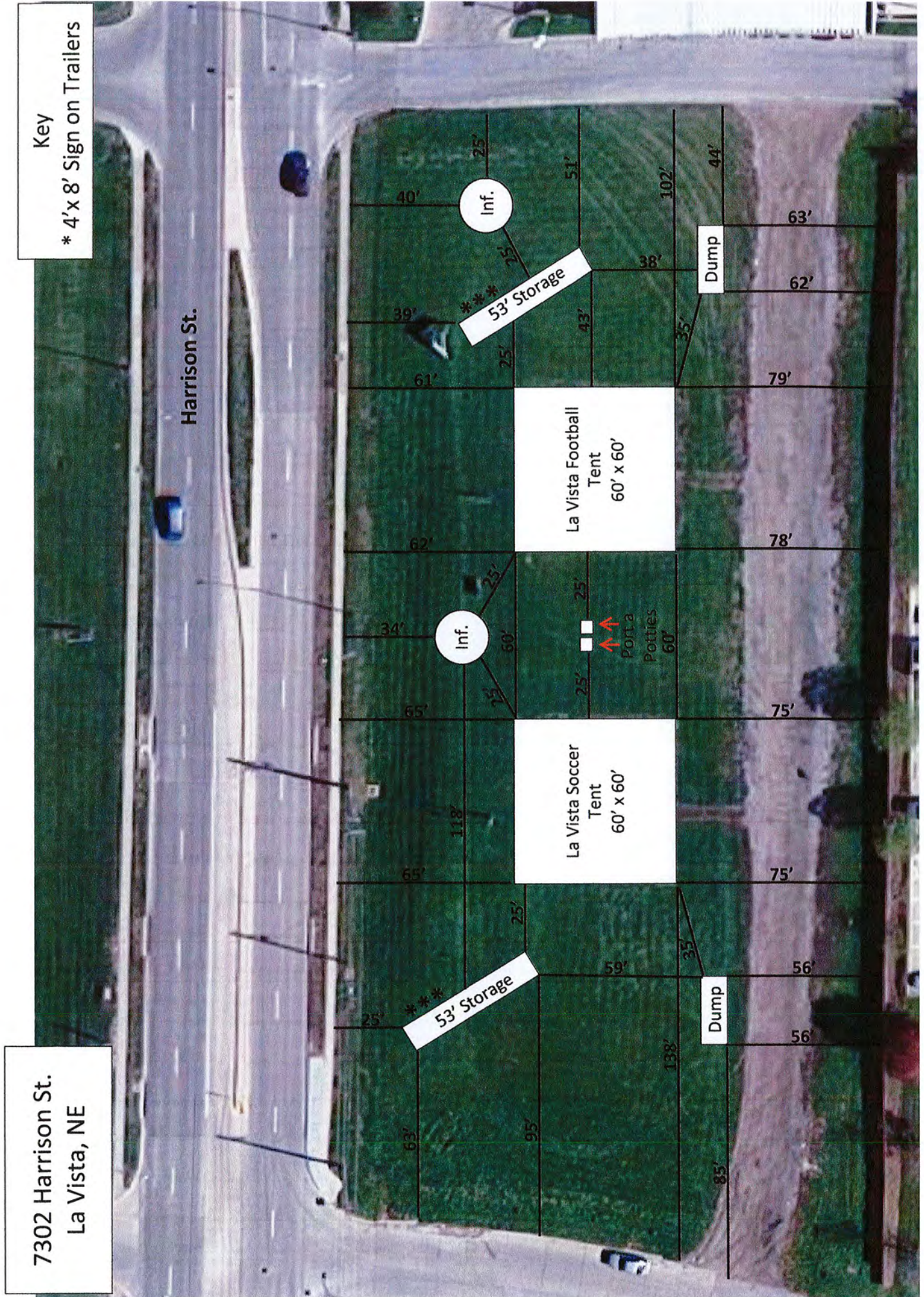
Date Received: \_\_\_\_\_ Received by: \_\_\_\_\_

- \$500 permit application deposit fee.
- Site Plan.
- A written statement of permission from the land-owner.
- The City of La Vista's *Accessory and Light Remodeling Permit* and \$150 permit application fee for Tent.
- The City of La Vista's *Sign Permit* application (maximum of four signs) and applicable fee.
- The City of La Vista's *Explosive Materials Storage Permit* and \$100 permit application fee.
- Statement of Proposed Community Betterment Expenditures.
- Three *Statements of Annual Income for Fireworks Sales*.
- Insurance certificate (due by 12:00 noon on June 19th).
- State Fire Marshal Certificate (due by 12:00 noon on June 19th).
- \$2,000 Permit Fee Balance (due by 12:00 noon on June 19th).

7302 Harrison St.  
La Vista, NE

Key  
\* 4' x 8' Sign on Trailers

Harrison St.



Inf.

\*\*\*  
53' Storage

La Vista Football  
Tent  
60' x 60'

Inf.

La Vista Soccer  
Tent  
60' x 60'

Port a  
Potties  
60'

\*\*\*  
53' Storage

Dump

Dump


63' 25' 40' 39' 61' 25' 51' 102' 44' 38' 43' 63' 62' 79' 62' 78' 34' 25' 60' 25' 25' 60' 75' 75' 65' 118' 75' 25' 75' 56' 56' 63' 95' 59' 35' 138' 85'

# Bellino Properties

501 Olson Drive, Suite 210 Papillon, NE 68046 Phone: 402-935-1916 Fax: 402-339-9001

## PERMISSION TO OCCUPY

I hereby give La Vista Youth Football & Cheerleading permission to occupy my property at 73<sup>rd</sup> & Harrison Street, La Vista, Nebraska, to operate a retail fireworks stand from June 20<sup>th</sup> through July 6<sup>th</sup>.



---

Don Bellino, Owner  
Bellino Harrison Street Property, LLC



City of La Vista

Light Remodeling and Accessory Permit Application

8116 Park View Blvd, La Vista, NE 68128 Phone: 402-331-4343 Fax: 402-331-4375

The city is not responsible for permits taken out that were not allowable within your particular subdivision. We suggest that you consult your subdivision covenants before applying for permits.

\*\* 2006 IRC (Int'l Residential Code) - Adopted Aug. 17, 2010\*\*

Date of Application 1/9/2015 Mail Permit to: (circle) Contractor Owner: Permit #

Project Address: 7302 Harrison Street Lot Number: 5 Subdivision Schaefer ADD Is this a rental property: Yes No

Print Applicant Name/Address: LaVista Youth Football & Cheer 7507 Elizabeth Street, La Vista, NE 68128 Phone #:

Print Owner Name/Address: Bellino Harrison Street Property LLC 501 Olson Drive Suite 210, Papillion, NE 68046 Phone #: (402) 935-1916

Print Contractor Name/Address: Same as Applicant Phone #:

CALL BEFORE YOU DIG! UNDERGROUND HOT LINE 888-711-5666 or 811

FENCE: Height: Type: Location: Est. Materials: \$ Fee: \$

- Site plan required showing fence location, type and height
Fence posts must be set in concrete 24" minimum depth for wood and chain link
Fence location on or into fence owners property (may require survey).
All wood pickets or boards to face to the outside
Front yard fences need to be 12-1/2' from curb & no more than 4' high—open picket, split rail & chain link(2006 IRC)
Sideyard fences, on a corner lot, need to be 12-1/2' from the curb or off the right of way

SHED: Height: Type: Location: Est. Materials: \$ Fee: \$

- Site plan of property required showing shed location and spacing
Shed MUST BE located a minimum of 5 feet from the rear and side property line/s.
Concrete slab shed floor to have 1/2" dia. anchor bolts at max. 6'0" o.c. spacing for shed tie-down
Wood floors of sheds must be provided with 4 shed tie-downs anchors to meet city code
Maximum shed height 17', or less if restricted by local governing covenants (15').
Shed MUST BE located a minimum of 6'0" from any structure, or fire proofed to meet city code.

DECK: Type: Location: Est. Materials: \$ Fee: \$

- Site plan of property showing house and deck location and size
Deck drawing required showing the following:
a. Over-all deck size and stair location
b. Uncovered decks must be a distance of 15 feet from rear property lines; and, 5 feet from side property lines.
c. Decks must be 6 feet from any other detached structure
d. Post hole locations require 42" deep frost footings when attached to the house
e. Indicate size of wood beam on your drawing; and, know that column post sizes must be 6" x 6"
f. Indicate wood joist sizes and spacing measurement
g. Ledger beam attached to house with 1/2" dia. lag bolts that are 5" long (or equiv.) at 24" on center (staggered)
h. Galvanized joist hangers at ledger beam
i. Handrails to be 3'0" high with vertical spindle spacing not more than 4" apart
j. Stair detail as provided by City
k. Call for footings inspection once holes are dug, prior to fillins. When project completed, call for final.

CURB-CUT / DRIVEWAYS / SIDEWALK

Curb Cut/Grind Width: Driveway Width: Driveway Length: Fee: \$
Sidewalk Length: Concrete Depth:

Driveways must meet specifications of City Code & MUST be inspected before pouring

OTHER ACCESSORY PROJECTS - Roofing, Siding, Windows, etc.

Describe Project: Tent Estimated Materials: \$
Length: 60' Width: 60' # Door/s: # Window/s: Fee: \$ 150.00
Remarks: Set up 6-20 Tear down 7-4

Total of all FEES DUE: \$

Applicant certifies that this information has been read, understood and that projects will be constructed in compliance with all city ordinances; that all information is correct; and, that inspections will be requested.

Please phone 24 hours in advance for a final on all projects and any other inspections as noted above.

Signature of Applicant: Date: 1.14.15

Approved By City Official: Permit Clerk
Date of Approval:

City of La Vista  
 Community Development Department  
 8116 Park View Blvd  
 La Vista, NE 68133  
 (402) 331-4343

# SIGN PERMIT APPLICATION



(Please see other side for submittal requirements)

Street Address of Sign Location: 7302 Harrison Street

**Applicant Information**

Company Name: LaVista Youth Football & Cheer Contact: Joe Alcaraz

Address: 7507 Elizabeth St. City: La Vista State NE Zip 68128

Phone: (402) 630-5167 Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Business/Organization (that is the subject of the sign)**

Company Name: Same as above Contact: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Sign Type**

- Temporary Sign - Date(s) of display (required): 6/24/15 - 7/4/15
- Wall Sign - Side of building displaying the sign: ( N S E W ) Width of this façade: \_\_\_\_\_ ft.
- Incidental/Directional Sign - Length of storefront: \_\_\_\_\_ ft.
- Monument - Setback from nearest property line: \_\_\_\_\_ ft.
- Center Identification - Setback from nearest property line: \_\_\_\_\_ ft.
- Common Signage Plan     Master Signage Plan     Other: \_\_\_\_\_

Illumination:     None     Internal     External    Describe: \_\_\_\_\_

Number of lot sides abutting street: \_\_\_\_\_

Are any existing signs at this location to remain?     Yes     No

If yes, total number and types of signs at this business location: \_\_\_\_\_

**Sign Size**

Sign width 4' Sign height 8' Total square feet 32' Height from grade to top of sign 6 ft.

**Applicant's Signature**

I believe that all of the information on this application and on drawings submitted in support of this application is accurate. I understand that any sign which is installed that is inconsistent or in conflict with this application, the supporting drawings, or the sign regulations contained in the City's Unified Development Ordinance is a violation of the City of La Vista municipal code. I further understand that the inadvertent approval of a sign application by the City that is not in compliance with the sign regulations does not create any legal nonconforming status nor does it remove any obligation to bring the sign into compliance. I understand that no sign shall be installed until a sign permit has been approved by the City of La Vista and the associated sign fee has been paid. Once a sign permit has been approved, all sign installation work must be completed in six months or the permit will expire.

[Signature]  
 (Signature of Applicant)

1.14.15  
 (Date)

**Office Use Only**

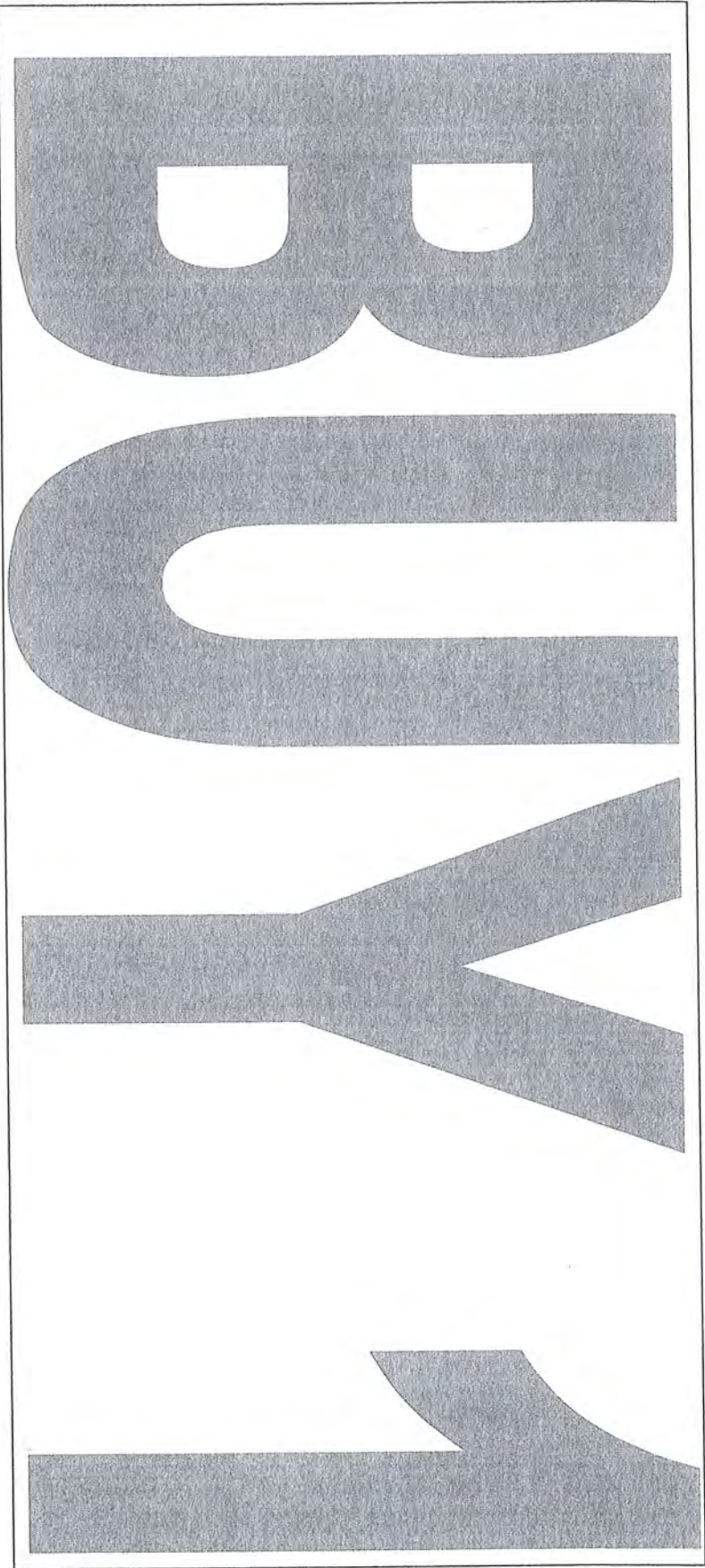
Rec'd By	Date Rec'd	# of Temp Signs this Year	Zoning at Sign Site at site

Sign Permit Fee	Plan Fee	Total Fee

Approved    Condition(s): \_\_\_\_\_

Disapproved    Reason(s): \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

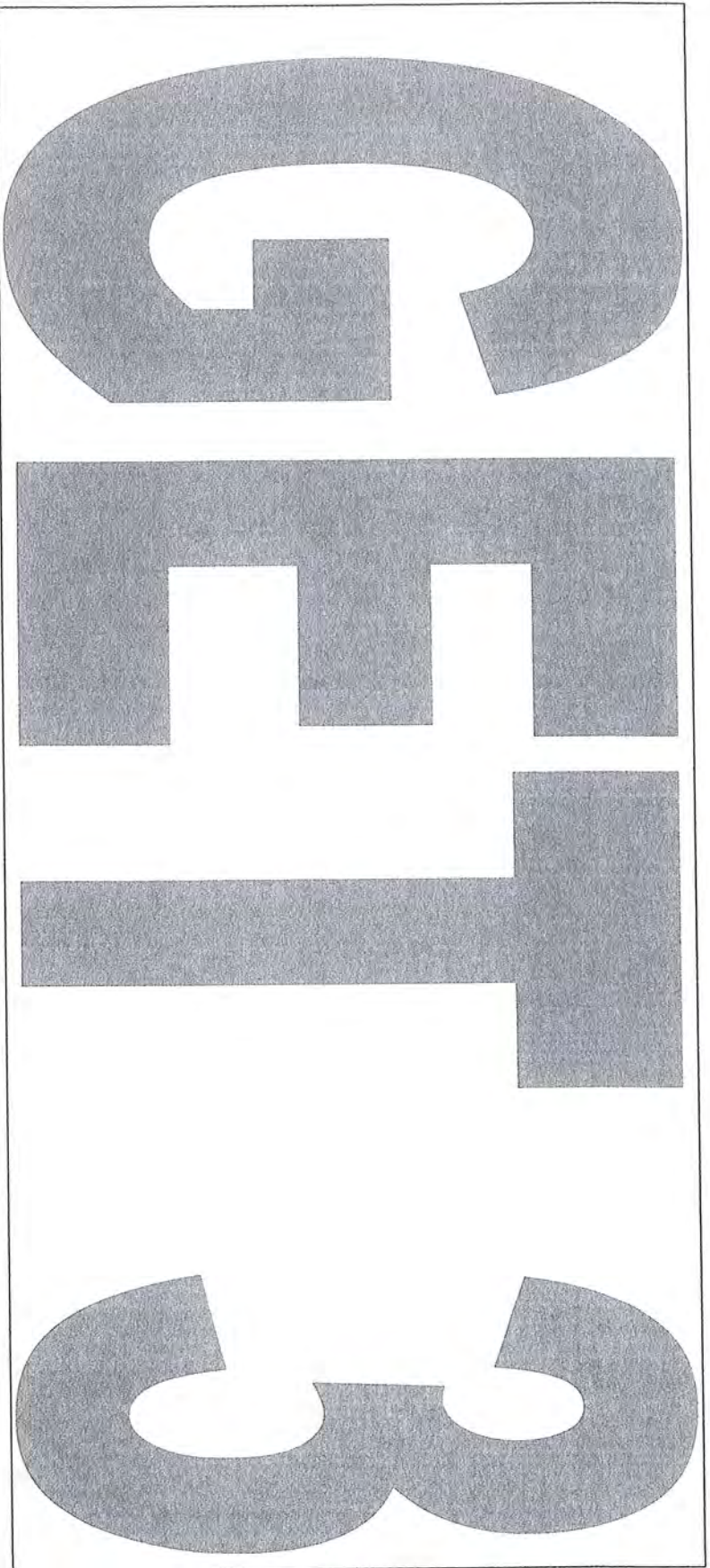


**Height: 4 feet**

**Width: 8 Feet**

**Total Square Footage: 32 Square Feet**

**Sign Material: Vinyl Banner**



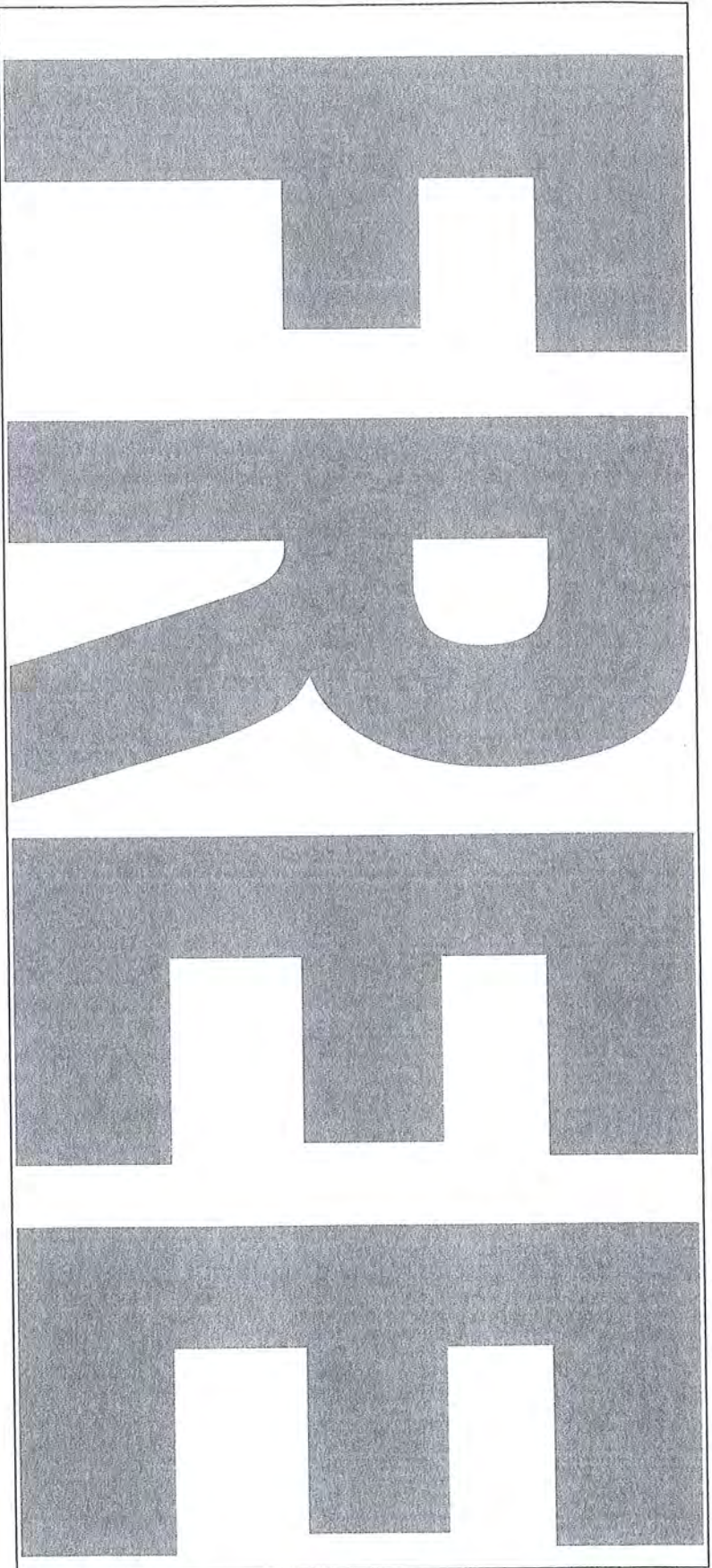
**Height: 4 feet**

**Width: 8 Feet**

**Total Square Footage: 32 Square Feet**

**Sign Material: Vinyl Banner**





**Height: 4 feet**

**Width: 8 Feet**

**Total Square Footage: 32 Square Feet**

**Sign Material: Vinyl Banner**

**CITY OF LA VISTA, NEBRASKA**  
**PERMIT APPLICATION EXPLOSIVE MATERIALS STORAGE**

Pursuant to §91.46 of the La Vista Municipal Code any person desiring to store or keep for any period of time explosive materials defined in Neb. RS 28-1213, shall file with the City Clerk an application for an explosive material storage permit.

**PLEASE TYPE OR PRINT CLEARLY**

Name of Applicant Joe Alcaraz Today's Date 1/14/15

Age of Applicant Over 25 years old

Street Address 7507 Elizabeth Street

City La Vista State NE Zip 68128

Phone (daytime) (402) 630-5167 (evening) (402) 630-5167

Name of Employer Kiewit

Street Address of Employer 38th & Farnam St.

City Omaha State NE Zip 68128

Have you been instructed in the use of Explosives  yes  no

If yes, by whom? The Distributor

What type of instruction Sales, Safety, & Storage

Date of instruction 6/2012 Length of time of instruction 2 Hours

List your experience in the use of explosives, giving three distinct examples of the type and usage you have personally done  
1 year experience in sales of Class "C" consumer fireworks, safety or Class "C" consumer fireworks, and storage of Class "C" consumer fireworks.

List the type of explosives you have been trained on and used Class "C" consumer fireworks

Enclose copies of any training certificate, explosive permits from other states or other pertinent documentation.

**CERTIFICATION AND RELEASE**

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

[Signature]  
Signature of Applicant

Joe Alcaraz  
Printed Name of Applicant

**FOR CITY HALL USE ONLY**

Date Received: \_\_\_\_\_

Received by: \_\_\_\_\_

\$100 permit application fee.

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF PROPOSED COMMUNITY BETTERMENT EXPENDITURES

Pursuant to §111.17 of the La Vista Municipal Code, only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

PLEASE TYPE AND LIMIT STATEMENT TO THIS PAGE ONLY

Name of Nonprofit Organization LA VISTA YOUTH FOOTBALL & CHEERLEADING

State Sales Tax ID 057853408

- BOY SCOUT FIREWORKS
- REC-HEL PADS
- MEDICAL SUPPLIES
- HOMECOMING RAFFLE
- CAHILL SCHOLARSHIP
- HOMECOMING
- END OF SEASON
- CROWN TROPHY
- GODFATHER'S PIZZA
- FIREWORKS PERMIT
- ADOPTED FAMILIES

CERTIFICATION AND RELEASE

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

[Signature]  
Signature of Organization Official

Joe Alcorn  
Printed Name of Organization Official

President  
Title of Organization Official

**Permit Year 2015**

**Annual Expenditures of Net Proceeds**

Date	Project Description or Event & Who Participated	Location	Cost
<u>Jan '14</u>	<u>Fireworks permit</u>	<u>La Vista</u>	<u>\$2,750.00</u>
<u>Dec '14</u>	<u>Adopt a family</u>	<u>La Vista</u>	<u>\$2,700.00</u>
<u>Sept '14</u>	<u>Scholarships</u>	<u>La Vista</u>	<u>\$1,000.00</u>
<u>Oct '14</u>	<u>Boy Scout's fireworks</u>	<u>La Vista</u>	<u>\$800.00</u>
<u>Aug '14</u>	<u>Bloomers for Cheerleaders</u>	<u>La Vista</u>	<u>\$145.00</u>
<u>Aug '14</u>	<u>Coaches shirts</u>	<u>La Vista</u>	<u>\$217.00</u>
<u>Sept '14</u>	<u>Coaches jackets</u>	<u>La Vista</u>	<u>\$811.06</u>
<u>Nov '14</u>	<u>End of season ceremonies</u>	<u>La Vista</u>	<u>\$1,310.78</u>
<u>Jun '14</u>	<u>Security</u>	<u>La Vista</u>	<u>\$1,000.00</u>
<b>Total Community Betterment Expenditures</b>			<u>\$10,733.84</u>

Please detail costs associated with projects and/or events.

Permit Year 2015

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
IN PERMIT YEAR 2014

Pursuant to §111.17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

*Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.*

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization La Vista Youth Football & Cheerleading

Annual Income  
Gross Fireworks Sales \$90072.12

Expenses

Wholesale Cost of Fireworks \$32,618.41  
(please provide copy of invoice)

State Sales Tax \$6,305.05

Permit Fees:  
Local \$2,750.00

State \$26.63

Insurance \$3,895.53

Rent or Lease Expenses \$6,000.00

Advertising \$4,674.63

Miscellaneous (please describe) Tent \$3,500.00

Utility usage, Installation  
• Lights, Electrical & Phone \$4,285.08

Registers, Tables, Credit Card  
• Machines, Fire, Safety & Other Equip. \$7,401.51

Product Shrink, Bad Credit Cards,  
• Discounts given to members \$5,453.74

• Security \$1,000.00

Total Expenses \$77,910.58

Net Proceeds (profits) \$12,161.54

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Permit Year 2014

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
IN PERMIT YEAR 2013

Pursuant to §111.17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

*Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.*

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization La Vista Youth Football and Cheerleading

Annual Income  
Gross Fireworks Sales \$82,314.01

Expenses

Wholesale Cost of Fireworks (please provide copy of invoice)	<u>\$26,545.13</u>
State Sales Tax	<u>\$5,761.98</u>
Permit Fees:	
Local	<u>\$2,750.00</u>
State	<u>\$26.63</u>
Insurance	<u>\$3,140.09</u>
Rent or Lease Expenses	<u>\$6,000.00</u>
Advertising	<u>\$4,077.59</u>
Miscellaneous (please describe) Tent	<u>\$3,500.00</u>
Utility usage, Installation Lights, Electrical & Phone	<u>\$3,335.23</u>
Registers, Tables, Credit Card Machines, Fire Safety & Other Equip.	<u>\$7,117.57</u>
Product Shrink, Bad Checks or Credit Cards, Discounts Given to Members	<u>\$6,489.55</u>
Security	<u>\$1,000.00</u>
Total Expenses	<u>\$69,743.77</u>
Net Proceeds (profits)	<u>\$12,570.24</u>

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Permit Year 2013

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
IN PERMIT YEAR 2012

Pursuant to §111.17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization LA VISTA YOUTH FOOTBALL AND CHEERLEADING

Annual Income  
Gross Fireworks Sales \$ 85,591.41

Expenses

Wholesale Cost of Fireworks (please provide copy of invoice)	<u>31,723.68</u>
State Sales Tax	<u>5,991.40</u>
Permit Fees:	<u>2,750.00</u>
Local	<u>26.63</u>
State	<u>2,854.63</u>
Insurance	<u>6,000.00</u>
Rent or Lease Expenses	<u>3,706.90</u>
Advertising	<u>3,041.40</u>
Miscellaneous (please describe): <u>TENT</u>	<u>3,032.03</u>
• <u>UTILITIES USAGE INSTALLATION</u>	
• <u>LIGHTS ELECTRICAL ; PHONE</u>	<u>6,470.52</u>
• <u>REGISTERS, TABLES, CREDIT CARD</u>	
• <u>MACHINES, FIRE SAFETY ; OTHER EQUIPMENT</u>	<u>5,899.59</u>
• <u>PRODUCT SHRINK, BAD CHECKS OR CREDIT</u>	
• <u>CARDS, DISCOUNTS, GIVEN TO MEMBERS</u>	<u>1,000.00</u>
• <u>SECURITY</u>	
Total Expenses	<u>\$ 72,496.78</u>

Net Proceeds (profits) \$ 13,094.63

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CERTIFICATION AND RELEASE

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

[Handwritten Signature]  
Signature of Organization Official

Joe Alcaraz  
Printed Name of Organization Official

President  
Title of Organization Official

\_\_\_\_\_  
Signature of Organization Official

\_\_\_\_\_  
Printed Name of Organization Official

\_\_\_\_\_  
Title of Organization Official





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
06/11/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> MCGRIFF, SEIBELS & WILLIAMS, INC. P.O. Box 10265 Birmingham, AL 35202	<b>CONTACT NAME:</b> PHONE (A/C, No, Ext): 800-476-2211      FAX (A/C, No): E-MAIL ADDRESS:	
	<b>INSURER(S) AFFORDING COVERAGE</b> INSURER A :James River Casualty Company	<b>NAIC #</b> 13685
<b>INSURED</b> Bellino Fireworks, Inc 501 Olson Drive, Suite 210 Papillion, NE 68046	<b>INSURER B :</b>	
	<b>INSURER C :</b>	
	<b>INSURER D :</b>	
	<b>INSURER E :</b>	
	<b>INSURER F :</b>	

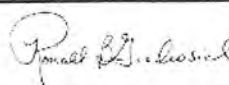
**COVERAGES**      **CERTIFICATE NUMBER:** D7TWKQ5Q      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR   WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC		000576611	05/04/2014	09/04/2015	EACH OCCURRENCE	\$ 2,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000
						MED EXP (Any one person)	\$ EXCLUDED
						PERSONAL & ADV INJURY	\$ 2,000,000
						GENERAL AGGREGATE	\$ 5,000,000
						PRODUCTS - COMP/OP AGG	\$ 2,000,000
							\$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident)	\$
						BODILY INJURY (Per person)	\$
						BODILY INJURY (Per accident)	\$
						PROPERTY DAMAGE (Per accident)	\$
							\$
A	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED    RETENTION \$		000623090	05/04/2014	09/04/2015	EACH OCCURRENCE	\$ 4,000,000
						AGGREGATE	\$ 4,000,000
							\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N <input type="checkbox"/> N / A				WC STATUTORY LIMITS	OTHER
						E.L. EACH ACCIDENT	\$
						E.L. DISEASE - EA EMPLOYEE	\$
						E.L. DISEASE - POLICY LIMIT	\$
							\$
							\$
							\$
							\$

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES** (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Location: 7302 Harrison Dr., LaVista, NE  
 Lot 5 Schaefer's 1st Addition  
 City of LaVista, NE  
 LaVista Youth Football and Cheerleading  
 Bellino Harrison Street Property, LLC  
 Bellino Fireworks, Inc.  
 Donald J. and Valerie R. Bellino

<b>CERTIFICATE HOLDER</b>  Bellino Fireworks, Inc. 501 Olson Drive Suite 210 Papillion, NE 68046	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE  

**NEBRASKA STATE FIRE MARSHAL**

**246 South 14th Street  
Lincoln, NE 68508-1804**

**LICENSE FOR SALE OF FIREWORKS**

Permissible fireworks may be sold at retail commencing 12:01 AM June 25 and ending 11:59 PM July 4 OR 12:01 AM December 29 and ending 11:59 PM December 31 and must be purchased from a licensed distributor or jobber. A jobber may not sell retail. Invoice copies for all fireworks must be kept available for inspection and must show the license number of the distributor or jobber. Fireworks may not be sold outside the city limits of an incorporated town or village. Violations of State Fire Marshal regulations may result in immediate revocation of this license.

**LICENSE GOOD ONLY FOR CALENDAR YEAR IN WHICH ISSUED**

This copy signed, dated and numbered by the STATE FIRE MARSHAL constitutes issuance of a LICENSE pursuant to the provisions of Nebraska Revised Statute 28-1246 (1994 Supp.). Such license shall be displayed at licensee's place of business.

**DATE RECEIVED:**

January 09, 2015 06:08 PM

**TYPE OF LICENSE AND FEE:**

Retail Permit (July) - \$25.00

**LOCATION OF OUTLET FOR RETAIL SALE OF FIREWORKS:**

7302 Harrison Street  
Lavista  
Tent in vacant lot

**COUNTY:**

Sarpy

**STORAGE LOCATION:**

**DISTRIBUTOR(S)/JOBBER(S):**

Bellino Fireworks, Inc. (2015-RP-11185648-4)

**SALES TAX NUMBER:**

057853408

**DATE ISSUED:**

January 09, 2015 12:42 PM



STATE FIRE MARSHAL

**LICENSE HOLDER:**

LaVista Youth Football

**LICENSE NUMBER:**

2015-RP-11362956-10-01

CITY OF LA VISTA, NEBRASKA  
 PERMIT APPLICATION  
 SALE OF PERMISSIBLE FIREWORKS

Pursuant to §111.17 of the La Vista Municipal Code it shall be unlawful for any person to sell, hold for sale or offer for sale any permissible fireworks within the corporate limits of the City of La Vista unless such person has first obtained a permit. Only nonprofit organizations and associations using volunteer salespersons and which will use the net proceeds from the sale of fireworks for community betterment purposes within the City of La Vista shall be eligible for a permit.

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization Monarch Youth Wrestling Today's Date 1/9/2015

Street Address 8219 S. 103rd Street

City La Vista State NE Zip 68128

Contact Person Zac Dominguez Phone (daytime) (402) 639-4507 (evening) \_\_\_\_\_

APPLICANT READ

This permit application is used by the City Council to evaluate your organization's qualifications for a Fireworks Permit. Please answer all questions completely and accurately. Failure to submit the application pursuant to the deadlines contained herein or submission of an incomplete application may result in denial of a permit. The City is not responsible for determining whether your application is complete at the time of submission nor will you be allowed to submit additional information after the deadlines noted herein.

**To be eligible for City Council review, each application submittal must include the following in one packet:**

- ✓ Completed Permit Application Form and a \$500 permit application deposit fee received at City Hall, 8116 Park View Boulevard, La Vista, NE, 68128, no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday). If your permit is denied, \$400 of this fee will be refunded to your organization. If you are issued a permit, the remaining amount of the permit application fee as established in the Master Fee Ordinance will be due and payable to the City of La Vista no later than noon on June 21 of the permit year to receive permit.
- ✓ A site plan on 8 ½" x 11" paper which details the dimensions, location and distance between all proposed components of your group's fireworks stand (including but not limited to: tent, storage, garbage, portable restrooms, signs, parking, etc.) The site plan must be neat and legible, with an attempt made to show components as close to scale as possible.
- ✓ A signed statement from the land-owner where your proposed fireworks sales will occur, granting permission to your organization to utilize the property (written permission from retail store managers is not acceptable).
- ✓ The City of La Vista's *Accessory and Light Remodeling Permit* and the permit application fee as established in the Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday), for your tent (please note, no more than one tent is allowed). Your permit must note the proposed date and time of your site set up. Please contact the Chief Building Official for assistance in completing this permit. If your permit application is denied, this fee will be refunded.
- ✓ The City of La Vista's *Sign Permit* and the permit application fee per sign (maximum of four), as established in the Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday), for any and all temporary signage. (The size and location of signs must be in compliance with the City's zoning regulations regarding temporary signs.) Please contact the Chief Building Official for assistance in completing this permit. If your permit is denied, this fee will be refunded.
- ✓ The City of La Vista's *Explosive Materials Storage Permit* and the permit application fee as established in the

Master Fee Ordinance must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday). If your permit is denied, \$100 of this fee is refunded to your organization.

- ✓ A signed City of La Vista *Statement of Proposed Community Betterment Expenditures* from your organization describing in detail how net proceeds from the sale of fireworks will be used for Community Betterment in the City of La Vista must be received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday).
- ✓ If your organization has held a permit in any of the three (3) years preceding this application, a City of La Vista *Statement of Annual Income for Fireworks Sales* must be completed for each of the three years and received at City Hall no later than noon on January 15 of the permit year (or the next business day if January 15 falls on a weekend or holiday).
- ✓ If the permit is approved your organization will need to furnish to City Hall no later than noon on June 21st of the permit year an insurance certificate meeting the requirements outlined in City Code.
- ✓ If the permit is approved your organization will need to furnish to City Hall no later than noon on June 21st of the permit year, the balance of the permit fee in the amount of \$2,000 and a State Fire Marshal Certificate meeting the requirements outlined in City Code.

### CERTIFICATION AND RELEASE

I certify that I have read and understand the "Applicant Read" paragraph on page one of this permit application and that all information, statements, materials and permits submitted as a part of this Permit Application are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information. I also understand that the use or sales of illegal fireworks is prohibited. I hereby further provide written assurance that this organization will file a certificate of insurance issued by an insurance company in good standing, authorized to do business in Nebraska, providing liability insurance in the amounts and for the coverages required by the City Council. I understand this certificate of insurance is a condition of issuance of the permit.

**PERMITS WILL NOT BE ISSUED UNTIL YOUR SITE HAS BEEN INSPECTED AND PASSED.**

Z. Dominguez  
Signature and Title of Organization Official

Zac Dominguez  
Printed Name of Organization Official

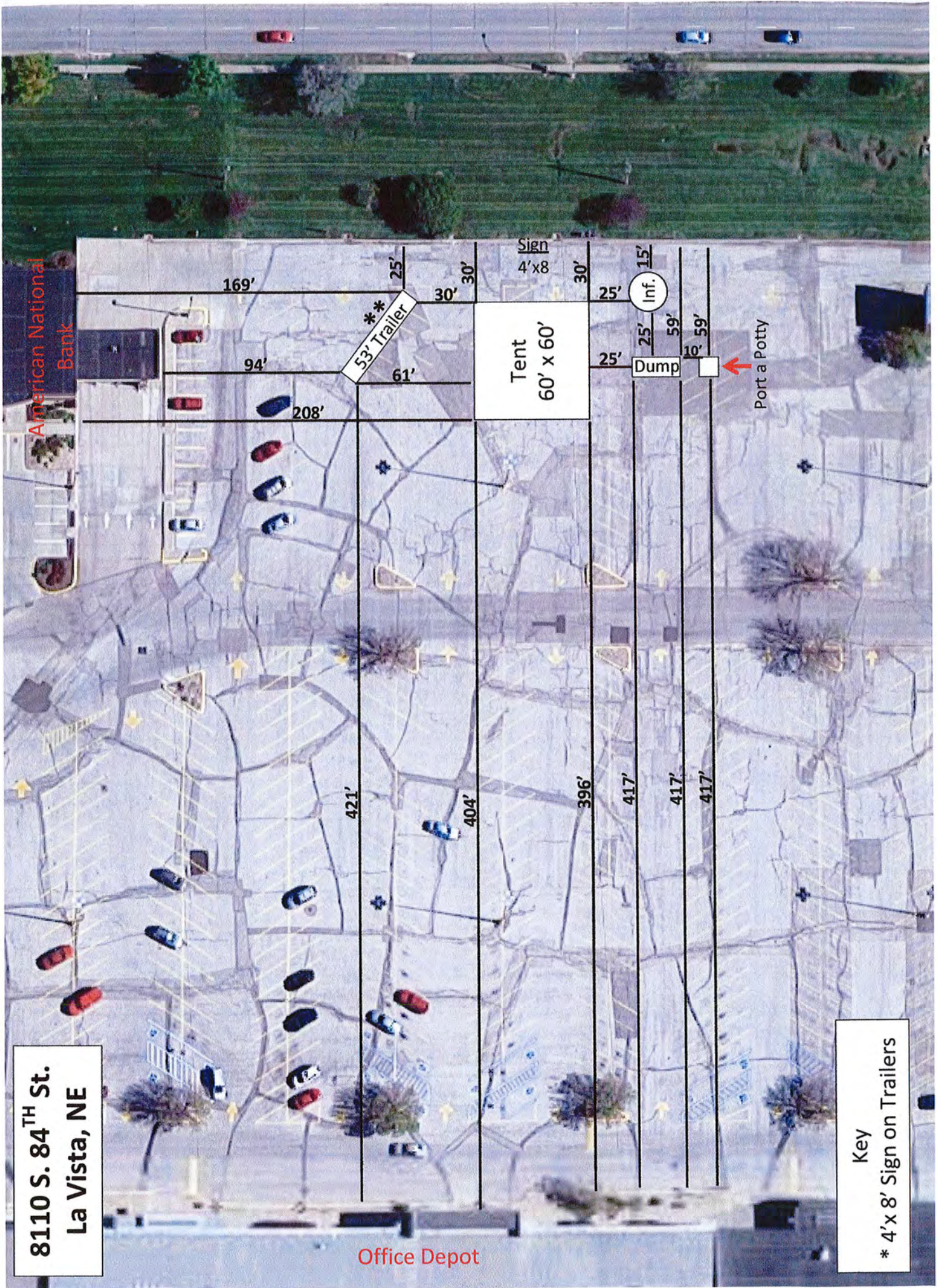
### FOR CITY HALL USE ONLY

Date Received: \_\_\_\_\_ Received by: \_\_\_\_\_

- \$500 permit application deposit fee.
- Site Plan.
- A written statement of permission from the land-owner.
- The City of La Vista's *Accessory and Light Remodeling Permit* and \$150 permit application fee for Tent.
- The City of La Vista's *Sign Permit* application (maximum of four signs) and applicable fee.
- The City of La Vista's *Explosive Materials Storage Permit* and \$100 permit application fee.
- Statement of Proposed Community Betterment Expenditures.
- Three *Statements of Annual Income for Fireworks Sales*.
- Insurance certificate (due by 12:00 noon on June 19th).
- State Fire Marshal Certificate (due by 12:00 noon on June 19th).
- \$2,000 Permit Fee Balance (due by 12:00 noon on June 19th).

8110 S. 84<sup>TH</sup> St.  
La Vista, NE

Office Depot



Key  
\* 4' x 8' Sign on Trailers

Bellino Fireworks, Inc.

501 Olson Drive Suite 210 Papillion, NE 68046

Phone: (402) 935-1916

Permission to Occupy

I hereby give the LaVista Wrestling Club permission to occupy my property at 8110 S. 84<sup>th</sup> St. LaVista, NE to operate a retail fireworks stand from June 20<sup>th</sup> through July 6<sup>th</sup>.

*Randall Wiescier*

Randall Wiescier, President/1<sup>st</sup> Management



City of La Vista

Light Remodeling and Accessory Permit Application

8116 Park View Blvd, La Vista, NE 68128 Phone: 402-331-4343 Fax: 402-331-4375

The city is not responsible for permits taken out that were not allowable within your particular subdivision. We suggest that you consult your subdivision covenants before applying for permits.

\*\* 2006 IRC (Int'l Residential Code) - Adopted Aug. 17, 2010\*\*

Date of Application 1/9/2015 Mail Permit to: (circle) Contractor Owner: Permit #

Project Address: 8110 S. 84th Street Lot Number: 2A3 Subdivision Willow Brook Addition Is this a rental property: Yes No

Print Applicant Name/Address: Monarch Youth Wrestling Club 8219 S. 103rd Street, La Vista, NE 68128 Phone #:

Print Owner Name/Address: Frank Krejci / First Management Inc. 1941 S. 42nd St. Suite 550 Omaha, NE 68105 Phone #: (402) 344-4600

Print Contractor Name/Address: Same as Applicant Phone #:

CALL BEFORE YOU DIG! UNDERGROUND HOT LINE 888-711-5666 or 811

FENCE: Height: Type: Location: Est. Materials: \$ Fee:\$

- Site plan required showing fence location, type and height
Fence posts must be set in concrete 24" minimum depth for wood and chain link
Fence location on or into fence owners property (may require survey).
All wood pickets or boards to face to the outside
Front yard fences need to be 12-1/2' from curb & no more than 4' high—open picket, split rail & chain link(2006 IRC)
Sideyard fences, on a corner lot, need to be 12-1/2' from the curb or off the right of way

SHED: Height: Type: Location: Est. Materials: \$ Fee:\$

- Site plan of property required showing shed location and spacing
Shed MUST BE located a minimum of 5 feet from the rear and side property line/s.
Concrete slab shed floor to have 1/2" dia. anchor bolts at max. 6'0" o.c. spacing for shed tie-down
Wood floors of sheds must be provided with 4 shed tie-downs anchors to meet city code
Maximum shed height 17', or less if restricted by local governing covenants (15').
Shed MUST BE located a minimum of 6'0" from any structure, or fire proofed to meet city code.

DECK: Type: Location: Est. Materials: \$ Fee:\$

- Site plan of property showing house and deck location and size
Deck drawing required showing the following:
a. Over-all deck size and stair location
b. Uncovered decks must be a distance of 15 feet from rear property lines; and, 5 feet from side property lines.
c. Decks must be 6 feet from any other detached structure
d. Post hole locations require 42" deep frost footings when attached to the house
e. Indicate size of wood beam on your drawing; and, know that column post sizes must be 6" x 6"
f. Indicate wood joist sizes and spacing measurement
g. Ledger beam attached to house with 1/2" dia. lag bolts that are 5" long (or equiv.) at 24" on center (staggered)
h. Galvanized joist hangers at ledger beam
i. Handrails to be 3'0" high with vertical spindle spacing not more than 4" apart
j. Stair detail as provided by City
k. Call for footing inspection once holes are dug, prior to filling. When project completed, call for final.

CURB-CUT / DRIVEWAYS / SIDEWALK

Curb Cut/Grind Width: Driveway Width: Driveway Length: Sidewalk Length: Concrete Depth: Fee:\$

Driveways must meet specifications of City Code & MUST be inspected before pouring

OTHER ACCESSORY PROJECTS - Roofing, Siding, Windows, etc.

Describe Project: Tent Estimated Materials: \$ Length: 60' Width: 60' # Door/s: # Window/s: Fee:\$ 150.00 Remarks: Set up 6-20 Tear down 7-4

Total of all FEES DUE: \$

Applicant certifies that this information has been read, understood and that projects will be constructed in compliance with all city ordinances; that all information is correct; and, that inspections will be requested.

Please phone 24 hours in advance for a final on all projects and any other inspections as noted above.

Signature of Applicant: [Signature] Date: 1-13-2015

Approved By City Official: Permit Clerk Date of Approval:

City of La Vista  
 Community Development Department  
 8116 Park View Blvd  
 La Vista, NE 68133  
 (402) 331-4343

# SIGN PERMIT APPLICATION



(Please see other side for submittal requirements)

Street Address of Sign Location: 8110 S. 84th St.

**Applicant Information**

Company Name: Monarch Youth Wrestling Contact: Zac Dominguez

Address: 8219 S. 103rd St. City: La Vista State NE Zip 68128

Phone: (402) 594-5360 Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Business/Organization (that is the subject of the sign)**

Company Name: Same as above Contact: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Sign Type**

- Temporary Sign - Date(s) of display (required): 6/24/15 - 7/4/15
- Wall Sign – Side of building displaying the sign: ( N S E W ) Width of this façade: \_\_\_\_\_ ft.
- Incidental/Directional Sign - Length of storefront: \_\_\_\_\_ ft.
- Monument - Setback from nearest property line: \_\_\_\_\_ ft.
- Center Identification - Setback from nearest property line: \_\_\_\_\_ ft.
- Common Signage Plan     Master Signage Plan     Other: \_\_\_\_\_

Illumination:     None     Internal     External Describe: \_\_\_\_\_

Number of lot sides abutting street: \_\_\_\_\_

Are any existing signs at this location to remain?     Yes     No

If yes, total number and types of signs at this business location: \_\_\_\_\_

**Sign Size**

Sign width 4' Sign height 8' Total square feet 32' Height from grade to top of sign \_\_\_\_\_ 6 ft.

**Applicant's Signature**

I believe that all of the information on this application and on drawings submitted in support of this application is accurate. I understand that any sign which is installed that is inconsistent or in conflict with this application, the supporting drawings, or the sign regulations contained in the City's Unified Development Ordinance is a violation of the City of La Vista municipal code. I further understand that the inadvertent approval of a sign application by the City that is not in compliance with the sign regulations does not create any legal nonconforming status nor does it remove any obligation to bring the sign into compliance. I understand that no sign shall be installed until a sign permit has been approved by the City of La Vista and the associated sign fee has been paid. Once a sign permit has been approved, all sign installation work must be completed in six months or the permit will expire.

Zac Dominguez  
 (Signature of Applicant)

1-13-2015  
 (Date)

**Office Use Only**

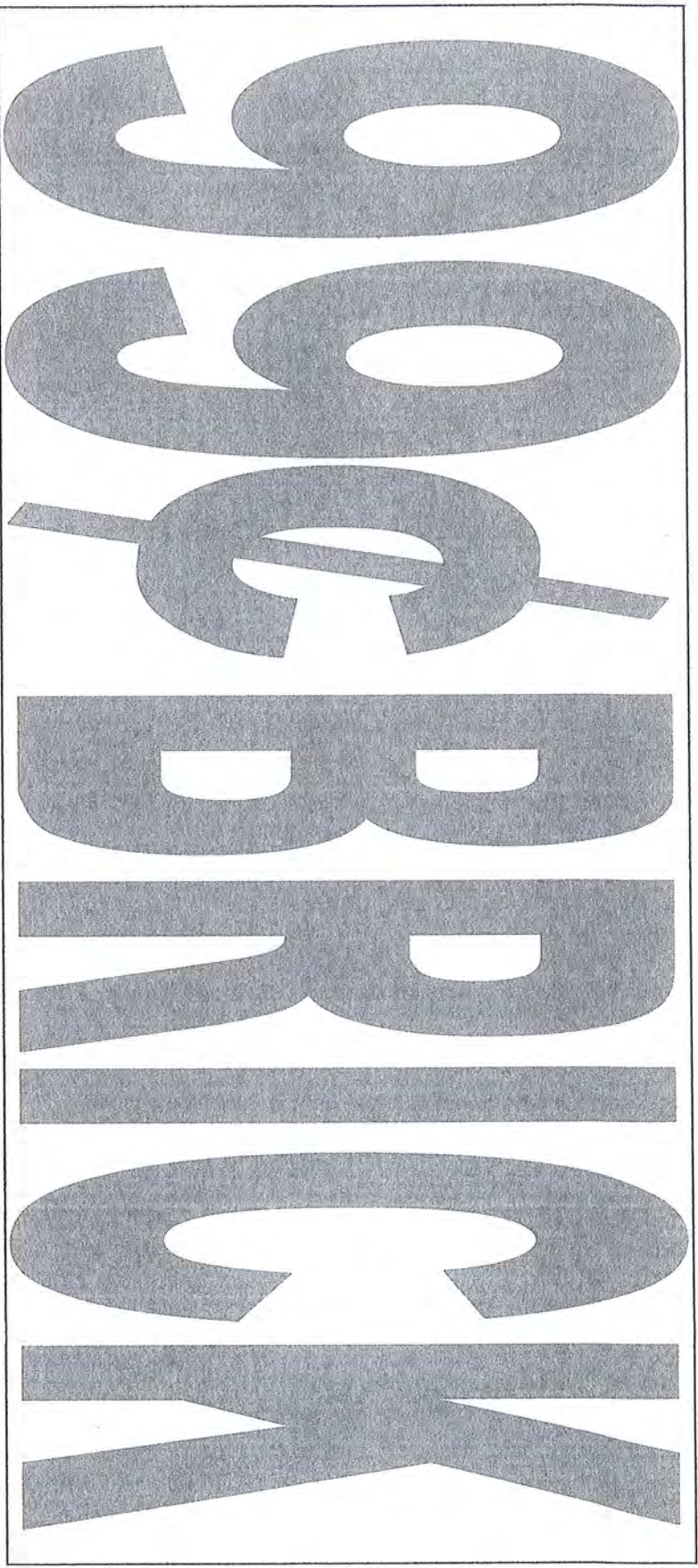
Rec'd By	Date Rec'd	# of Temp Signs this Year	Zoning at Sign Site at site

Sign Permit Fee	Plan Fee	Total Fee

- Approved Condition(s): \_\_\_\_\_
- Disapproved Reason(s): \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_



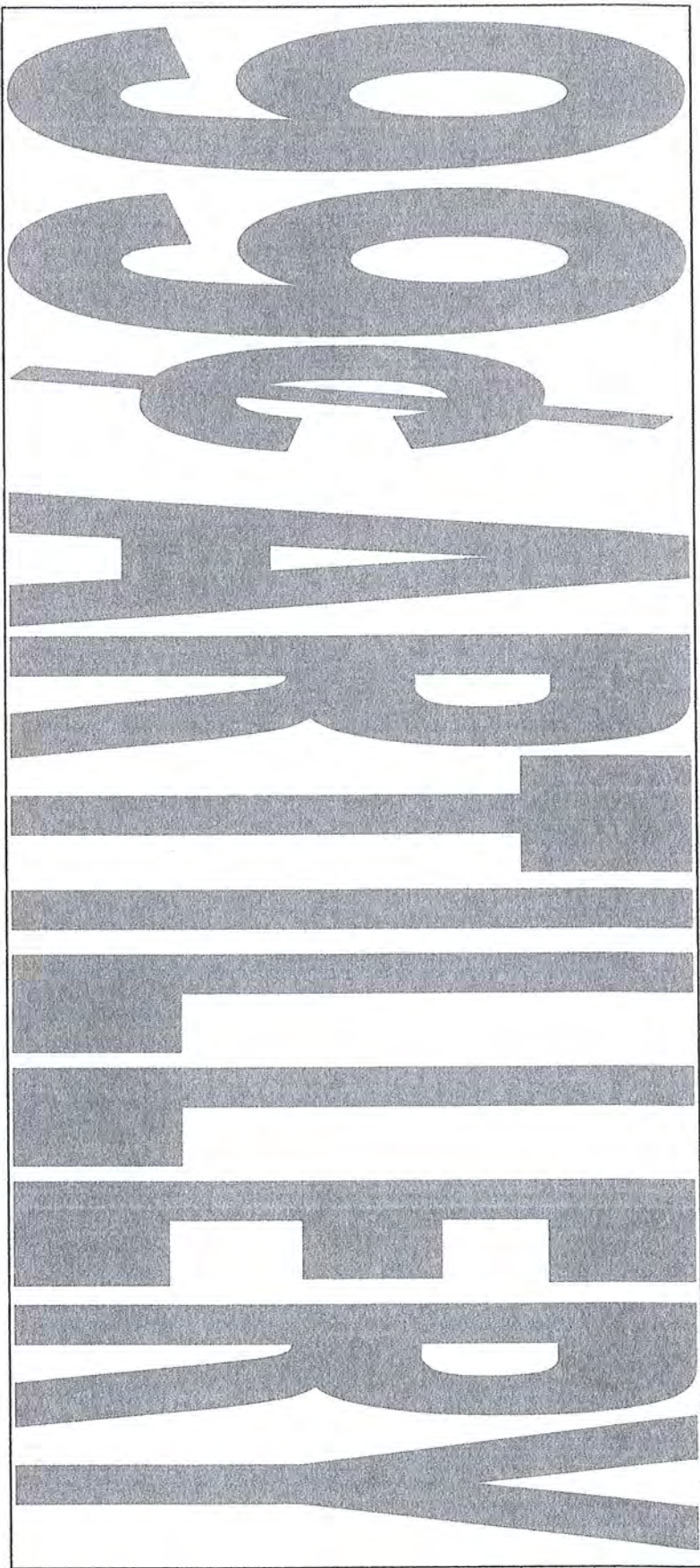


Height: 4 feet

Width: 8 Feet

Total Square Footage: 32 Square Feet

Sign Material: Vinyl Banner



**Height: 4 feet**

**Width: 8 Feet**

**Total Square Footage: 32 Square Feet**

**Sign Material: Vinyl Banner**

**CITY OF LA VISTA, NEBRASKA**  
**PERMIT APPLICATION EXPLOSIVE MATERIALS STORAGE**

Pursuant to §91.46 of the La Vista Municipal Code any person desiring to store or keep for any period of time explosive materials defined in Neb. RS 28-1213, shall file with the City Clerk an application for an explosive material storage permit.

**PLEASE TYPE OR PRINT CLEARLY**

Name of Applicant Zac Dominguez Today's Date 1/9/15

Age of Applicant Over 25 years old

Street Address 8219 S. 103rd Street

City La Vista State NE Zip 68128

Phone (daytime) 402-639-4507 (evening) \_\_\_\_\_

Name of Employer Farm Bureau Financial Services

Street Address of Employer 1608 Walnut Creek Drive

City Papillion State NE Zip 68046

Have you been instructed in the use of Explosives  yes  no

If yes, by whom? The Distributor

What type of instruction Sales, Safety, & Storage

Date of instruction 6/2012 Length of time of instruction 2 Hours

List your experience in the use of explosives, giving three distinct examples of the type and usage you have personally done  
2 years experience in sales of Class "C" consumer fireworks, safety or Class "C" consumer fireworks, and storage of Class "C" consumer fireworks.

List the type of explosives you have been trained on and used Class "C" consumer fireworks

Enclose copies of any training certificate, explosive permits from other states or other pertinent documentation.

**CERTIFICATION AND RELEASE**

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

Zac Dominguez  
Signature of Applicant

Zac Dominguez  
Printed Name of Applicant

**FOR CITY HALL USE ONLY**

Date Received: \_\_\_\_\_

Received by: \_\_\_\_\_

\$100 permit application fee.

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF PROPOSED COMMUNITY BETTERMENT EXPENDITURES

Pursuant to §111.17 of the La Vista Municipal Code, only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

PLEASE TYPE AND LIMIT STATEMENT TO THIS PAGE ONLY

Name of Nonprofit Organization Monarch Youth Wrestling Club

State Sales Tax ID 27-0879843

Monarch Youth Wrestling Club currently has over 100 kids participating from the Lavista area. Every wrestler within the club is provided with instruction on the sport of wrestling. The club pays for all uniforms, competitions, allowing an inexpensive way for kids to participate in a great sport. Everything is volunteer and nearly every expense is carried by the club.

CERTIFICATION AND RELEASE

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

Z. Dominguez  
Signature of Organization Official

Zac Dominguez  
Printed Name of Organization Official

President of MWC  
Title of Organization Official

Annual Expenditures of Net Proceeds

Date	Project Description or Event & Who Participated	Location	Cost
11-1 thru 3/30	Tournament Registrations	Various	10,000-
10/30	Singles	Lavalista	5,000-
_____	Camps	Various	5,000-
_____	Travel	Various	2,500-
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Total Community Betterment Expenditures

\$ 22,500-

Please detail costs associated with projects and/or events.

**CITY OF LA VISTA, NEBRASKA  
STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
IN PERMIT YEAR 2014**

Pursuant to §111.17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

*Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.*

**PLEASE TYPE OR PRINT CLEARLY**

Name of Nonprofit Organization Monarch Youth Wrestling

**Annual Income**

Gross Fireworks Sales \$54,297.30

**Expenses**

Wholesale Cost of Fireworks \$18,621.75  
(please provide copy of invoice)

State Sales Tax \$3,800.81

Permit Fees:  
Local \$2,750.00

State \$26.63

Insurance \$2,514.87

Rent or Lease Expenses \$4,000.00

Advertising \$3,017.84

Miscellaneous (please describe) Tent \$3,500.00

Utility usage, Installation

• Lights, Electrical & Phone \$2,766.35

Registers, Tables, Credit Card

• Machines, Fire, Safety & Other Equip. \$4,778.24

Product Shrink, Bad Credit Cards,

• Discounts given to members \$3,520.81

• Security \$1,000.00

Total Expenses \$50,297.30

Net Proceeds (profits) \$4,000.00

◆◆◆◆◆

Permit Year 2014

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
IN PERMIT YEAR 2013

Pursuant to §111.17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

*Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.*

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization Monarch Youth Wrestling

Annual Income  
Gross Fireworks Sales \$33,930.35

Expenses

Wholesale Cost of Fireworks (please provide copy of invoice)	<u>\$5,575.05</u>
State Sales Tax	<u>\$2,375.12</u>
Permit Fees:	
Local	<u>\$2,750.00</u>
State	<u>\$26.63</u>
Insurance	<u>\$1,452.68</u>
Rent or Lease Expenses	<u>\$4,000.00</u>
Advertising	<u>\$2,033.77</u>
Miscellaneous (please describe) Tent	<u>\$2,750.00</u>
Utility usage, Installation	
• <u>Lights, Electrical &amp; Phone</u>	<u>\$1,743.23</u>
Registers, Tables, Credit Card	
• <u>Machines, Fire Safety &amp; Other Equip.</u>	<u>\$3,392.77</u>
Product Shrink, Bad Checks or Credit	
• <u>Cards, Discounts Given to Members</u>	<u>\$3,002.24</u>
• _____	_____
Total Expenses	<u>\$29,101.49</u>

Net Proceeds (profits) \$4,828.86

◆◆◆◆◆

CITY OF LA VISTA, NEBRASKA  
STATEMENT OF ANNUAL INCOME FOR FIREWORKS SALES  
IN PERMIT YEAR 2012

Pursuant to §111:17 of the La Vista Municipal Code only nonprofit organizations using volunteer salespersons are eligible for a permit to sell fireworks and net proceeds must be used for community betterment purposes within the City of La Vista.

*Net proceeds shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation and cannot be deducted from gross sales as an expense in determining net proceeds.*

PLEASE TYPE OR PRINT CLEARLY

Name of Nonprofit Organization MONARCH YOUTH WRESTLING CLUB

Annual Income  
Gross Fireworks Sales \$50,593.43

Expenses

Wholesale Cost of Fireworks (please provide copy of invoice)	<u>10,275.07</u>
State Sales Tax	<u>3,541.54</u>
Permit Fees:	
Local	<u>2,750.00</u>
State	<u>26.63</u>

Insurance 2,075.26

Rent or Lease Expenses 6,000.00

Advertising 2,905.38

Miscellaneous (please describe): TENT 3,041.40

- UTILITIES, USAGE, INSTALLATION, LIGHTS, ELECTRICAL, PHONE 2,490.33
- REGISTERS, TABLES, CREDIT CARD
- MACHINES, FIRE SAFETY, OTHER EQUIPMENT 4,703.96
- PRODUCT SHRINK, BAD CHECKS OR CREDIT
- CARDS, DISCOUNTS, GIVEN TO MEMBERS 4,288.91
- SECURITY 1,000.00

Total Expenses \$43,098.48

Net Proceeds (profits) \$7,494.95



CERTIFICATION AND RELEASE

I certify that all information and statements contained herein are complete and true to the best of my knowledge and belief. I understand that any false information, omissions or misrepresentations of facts called for in this application may result in denial of my permit. I authorize the City and/or its agents, to verify any of this information. I authorize all persons, companies and government authorities to release any information relating to this application and hereby release any said persons, companies and government authorities from any liability for any damage whatsoever for issuing this information.

J. Dominguez  
Signature of Organization Official

Zac Dominguez  
Printed Name of Organization Official

President  
Title of Organization Official

\_\_\_\_\_  
Signature of Organization Official

\_\_\_\_\_  
Printed Name of Organization Official

\_\_\_\_\_  
Title of Organization Official



**NEBRASKA STATE FIRE MARSHAL**

246 South 14th Street  
Lincoln, NE 68508-1804

**LICENSE FOR SALE OF FIREWORKS**

Permissible fireworks may be sold at retail commencing 12:01 AM June 25 and ending 11:59 PM July 4 OR 12:01 AM December 29 and ending 11:59 PM December 31 and must be purchased from a licensed distributor or jobber. A jobber may not sell retail. Invoice copies for all fireworks must be kept available for inspection and must show the license number of the distributor or jobber. Fireworks may not be sold outside the city limits of an incorporated town or village. Violations of State Fire Marshal regulations may result in immediate revocation of this license.

**LICENSE GOOD ONLY FOR CALENDAR YEAR IN WHICH ISSUED**

This copy signed, dated and numbered by the STATE FIRE MARSHAL constitutes issuance of a LICENSE pursuant to the provisions of Nebraska Revised Statute 28-1246 (1994 Supp.). Such license shall be displayed at licensee's place of business.

**DATE RECEIVED:**

January 14, 2015 01:32 PM

**TYPE OF LICENSE AND FEE:**

Retail Permit (July) - \$25.00

**LOCATION OF OUTLET FOR RETAIL SALE OF FIREWORKS:**

8110 S. 84th Street  
Lavista  
Tent in parking lot

**COUNTY:**

Sarpy

**STORAGE LOCATION:**

**DISTRIBUTOR(S)/JOBBER(S):**


Bellino Fireworks, Inc. (2015-RP-11185648-4)

**SALES TAX NUMBER:**

17823304

**DATE ISSUED:**

January 09, 2015 12:41 PM



STATE FIRE MARSHAL

**LICENSE HOLDER:**

Monarch Wrestling Club

**LICENSE NUMBER:**

2015-RP-11361000-8-01

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
APRIL 21, 2015 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
COUNCIL POLICY STATEMENT HOMETOWN HEROES BANNER PROGRAM	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JEFF CALENTINE ASSISTANT TO CITY ADMINISTRATOR

**SYNOPSIS**

A resolution has been prepared to approve a Council Policy Statement regarding the Hometown Heroes Banner Program.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

Approval

**BACKGROUND**

At the April 7, 2015 City Council meeting a Leadership Sarpy group presented a Legacy Project proposal dubbed Hometown Heroes. The proposed program would offer an opportunity for citizens to purchase display banners that would honor La Vista veterans. The attached Council Policy Statement establishes guidelines and procedures that would direct the management of such a program by the City.

A copy of the application form has also been included for your information.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING A COUNCIL POLICY STATEMENT.

WHEREAS, the City Council has determined that it is necessary and desirable to create Council Policy Statements as a means of establishing guidelines and direction to the members of the City Council and to the city administration in regard to various issues which regularly occur; and

WHEREAS, a Council Policy Statement entitled "Hometown Heroes Banner Program" has been established to conjunction with the implementation of this program.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the Council Policy Statement entitled "Hometown Heroes Banner Program" and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

PASSED AND APPROVED THIS 21ST DAY OF APRIL 2015.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

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## Hometown Heroes Banner Program

### xxx.01 Purpose

The Hometown Heroes Banner Program is intended to honor the veterans of the La Vista community. Participants in the program can display their patriotism by purchasing a banner to be displayed on utility poles in La Vista that honors a resident or their family member(s) who has served our Country in any branch of the military.

### xxx.02 Policy

Hometown Hero banners will measure approximately 80" x 30" and will be unique to the specific service member to be honored. The following will be included on the banner:

- A picture of the veteran
- Name
- Branch of military served
- Era of service

#### Eligibility and Procedure

1. The veteran being honored must be a resident of the City of La Vista (current or former) or be a family member of a La Vista resident.
2. A completed Application Form must be submitted, along with full payment.
3. If you wish to enroll multiple Heroes, each banner will require a separate application form.
4. Cost for each banner is \$175.00 which includes the cost of the banner, installation materials and maintenance.
5. Application forms are available at the following locations:
  - La Vista City Hall, 8116 Park View Blvd.
  - La Vista Police Department, 7701 So. 96<sup>th</sup> Street
  - On the City's website at [www.cityoflavista.org/Hometownheroes](http://www.cityoflavista.org/Hometownheroes).
  - Completed forms and full payment can be returned to either location.

#### Program Management

1. For **2015**, the initial year of the program, the following will apply:
  - Application period closes on Friday June 5<sup>th</sup>, 2015.
  - Enrollment will be limited to the first 38 applicants.
  - At the close of the application period banners will be ordered for those who have submitted completed forms accompanied by full payment.
  - Banners will be displayed on utility poles along 84<sup>th</sup> Street.
  - Banners are guaranteed to be displayed for at least two (2) seasons and re-enrollment to the program is not required.
  - Display period will be Fourth of July through Labor Day.

# City of La Vista

## Council Policy Statement

### *HOMETOWN HEROES BANNER PROGRAM*

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2. For **subsequent years** the following will apply:
  - Application period closes on April 1<sup>st</sup>
  - Enrollment numbers will be based upon the number of participants already enrolled in the program.
  - At the close of the application period banners will be ordered for those who have submitted completed forms accompanied by full payment.
  - Banners will be displayed on utility poles along 84<sup>th</sup> Street and other thoroughfares throughout the City based on the number of participants.
  - Banners are guaranteed to be displayed for at least two (2) seasons and re-enrollment to the program is not required.
  - Display period will be Memorial Day through Fourth of July.
3. Banners will be taken down after the designated display period and stored at City of La Vista facilities until installation the following year.
4. The cost of the banners includes any maintenance and/or replacement of the banner or mounting hardware during the designated two-year display period in the event that damage occurs.
5. The applicant may collect the banner they purchased at any time, excluding during the display period. By collecting the banner the applicant forfeits the opportunity to have the banner displayed in subsequent years.

K:\APPS\City Hall\SOP\CPS\2015\Hometown Heroes Banner Program - xxx.Docx



# Hometown Heroes

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The City of La Vista is proud to present the *2015 La Vista Hometown Heroes* Banner Program. The program gives citizens of La Vista the opportunity to honor residents or their family members that have served our country in any branch of the military.

Each banner measures 80" long by 30" wide. All of the banners will be unique to the specific service member honored and will show their picture, name, branch of service and era of service. Banners will be displayed on utility poles along 84<sup>th</sup> St in La Vista. Banners will be installed prior to the 4<sup>th</sup> of July and will be displayed through Labor Day.

Sponsorships for the banner program are \$175 which covers the cost of the banner, installation materials and maintenance. Banners are guaranteed to be displayed a minimum of 2 years.

Please fill out the attached application along with payment and deliver to the City of La Vista, 8116 Park View Blvd., La Vista, NE 68128.

Applications will be accepted from **April 22, 2015 to June 5, 2015 and will be limited to the first 38 applications.**

For further information regarding the La Vista Hometown Heroes banner program please contact the City of La Vista 402-331-4343, 402-331-1582 or [www.cityoflavista.org/Hometownheroes](http://www.cityoflavista.org/Hometownheroes).



# Hometown Heroes

## Application Form

Applicant Name \_\_\_\_\_ Phone No. \_\_\_\_\_

Address \_\_\_\_\_ E-Mail \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Relationship to Hometown Hero \_\_\_\_\_

Hometown Hero \_\_\_\_\_ Phone No. \_\_\_\_\_

Address \_\_\_\_\_ E-Mail \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Era of Service \_\_\_\_\_ (See List on Back)

Branch of the Military \_\_\_\_\_ Rank \_\_\_\_\_

I hereby grant the City of La Vista permission to use the attached photo in the Hometown Heroes Banner Program, to include reproduction of the photo on a banner and public display of the banner. (Note: The quality of the image on the banner will be dependent on the quality of the photo submitted.)

\_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Printed Name \_\_\_\_\_

A check in the amount of \$175 must accompany the application. Multiple sponsorships will each require a separate application form.

## **Eras of Service:**

*Global War on Terror – 2001 to present*

*Post-Cold War – 1991 to 2001*

*Persian Gulf – 1990 to 1991*

*Cold War – 1945 to 1991*

*Vietnam – 1964 to 1975*

*Korean War – 1950 to 1953*

*WWII – 1941 to 1945*

*Post WWI – 1918 – 1941*

*WWI – 1917 to 1918*

*Post Civil War – 1865 to 1917*

*Civil War – 1861 to 1865*

Note: If your Hero does not fall within an Era of Service listed, feel free to indicate one that he/she would have served in or leave blank.

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
APRIL 21, 2015 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
INTERLOCAL AGREEMENT CITY PARK FIELD USAGE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	RITA M. RAMIREZ ASST. CITY ADMINISTRATOR/ DIRECTOR COMMUNITY SERVICES

**SYNOPSIS**

A resolution has been prepared to approve an interlocal agreement with the Papillion-La Vista School District for use of ball fields at City Park.

**FISCAL IMPACT**

Minimal maintenance and utility costs.

**RECOMMENDATION**

Approval.

**BACKGROUND**

Several months ago the Papillion-La Vista School District approached the City regarding the potential of using ball fields at City Park for the girls' high school softball program. Under Title IX regulations the District is required to provide comparable facilities for all of its boys and girls athletic programs. Rather than construct an entirely new facility, the District investigated available options and ultimately determined that La Vista's City Park fields provided the best alternative.

City staff has been meeting with District representatives to work through the details of the proposed ten-year interlocal agreement, which calls for the District to make significant field improvements in the amount of approximately \$500,000. In return for this investment, the District will be entitled to use the City Park fields for its softball games, practices and clinics. The City would be responsible for field maintenance and utility costs. Recreation Department personnel as well as Public Works Park Division personnel have been involved in these discussions. No additional City maintenance staff will be required.

The details of the proposed improvements are outlined in the interlocal agreement and include the construction of a press box between Fields One and Two, as well as the installation of lighting and the construction of new dugouts, batting cages, bullpens, warning track and fencing on Field Two, which will be the competition field. Necessary sidewalk and storm sewer modifications will also be the responsibility of the school district. The City retains ownership of the fields and all improvements made thereon.

The agreement has been reviewed by the City Attorney and his recommendations have been incorporated. On April 8, 2015 the Park and Recreation Advisory Committee met to discuss this project. Letters were sent to residents and owners of approximately 185 properties that are in close proximity to City Park, informing them of the proposed changes to the field and inviting them to attend the Park and Recreation Advisory Committee

meeting. Two residents attended and one phone call was received prior to the meeting. The only concerns expressed were with parking on the street and traffic congestion in the area. They were generally supportive of the concept of using the fields for the softball program. We have discussed some potential remedies for the parking/traffic situation and can share those with you at the Council meeting. The Committee voted unanimously to recommend to the City Council approval of the interlocal agreement with the school district. The Papillion-La Vista School Board approved the interlocal at their meeting on April 13, 2015.

School district representatives will be attending the Council meeting to help answer any questions.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN SARPY COUNTY SCHOOL DISTRICT 0027 (COMMONLY KNOWN AS THE PAPIILLION LA VISTA SCHOOL DISTRICT) AND THE CITY OF LA VISTA FOR FIELD USAGE AT CITY PARK.

WHEREAS, the School District has a need for athletic fields for the girls high school softball program; and

WHEREAS, the City has fields available at City Park that would satisfy the School District's needs without interfering with City programs; and

WHEREAS, the School District would make significant permanent improvements to fields at City Park at no cost to the City; and

WHEREAS, these types of cooperative efforts between public entities are an efficient use of taxpayer resources; and

WHEREAS, an interlocal agreement between the City of La Vista and Sarpy County School District 0027 for a period of ten years has been proposed.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the proposed interlocal agreement between Sarpy County School District 0027 and the City of La Vista for field usage at City park is hereby approved, and that the Mayor and City Clerk are hereby authorized to execute said agreement on behalf of the City of La Vista.

PASSED AND APPROVED THIS 21ST DAY OF APRIL 2015.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

## INTERLOCAL AGREEMENT

This Interlocal Agreement ("Agreement") is made and entered into on the dates provided below by and between SARPY COUNTY SCHOOL DISTRICT 0027, a political subdivision, commonly known as Papillion-La Vista School District (hereinafter referred to as "PLSD") and the CITY OF LA VISTA, NEBRASKA, a municipal corporation, (hereinafter referred to as "City").

WHEREAS, the Interlocal Cooperation Act, Neb. Rev. Stat. §13-801 *et seq.*, (the "Act"), of the State of Nebraska, provides that two or more public entities may enter into an agreement for shared or cooperative action, and this Agreement is made and entered into pursuant to the provisions of that Act and other Nebraska laws, and no separate legal or administrative entity is created for any of the cooperative undertakings established under this Agreement; and

WHEREAS, the Parties have purposes for cooperative action as provided herein; and

WHEREAS, the Parties desire to enter into this interlocal cooperative agreement to accomplish those purposes;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, it is agreed by the parties hereto as follows:

1. The PLSD and City of La Vista Field Use Cooperative.

A. Purpose, Contributions, PLSD and City Usages, and Duration. The purpose of the PLSD and City of La Vista Field Use cooperative is to create a 10 year cooperative undertaking between PLSD and the City. The City is the owner of the La Vista City Park Fields located at 7629 Josephine Street, [r1]which property includes four (4) playing fields, parking, and other facilities and improvements as generally shown on Exhibit "A" attached hereto and incorporated herein by this reference as though set forth in full (collectively the "[La[r2] Vista City Park Fields"). The La Vista City Park Fields are primarily a baseball/softball facility and complex which will be used from time to time by PLSD for school and athletic purposes. The PLSD agrees to upgrade the facilities at the La Vista City Park Fields as described below to meet the needs of the PLSD softball program and, in return for such upgrades, shall be entitled to use of the La Vista City Park Fields for its softball games, practices and clinics without additional charge or expense as provided herein. As such, the parties agree as follows:

- (i) PLSD at its sole cost will make the following contribution with respect to La Vista City Park Fields ("Improvements"): Construction of a press box between Field 1 and 2 that will include storage and a public address system; batting cages; bullpens; and sidewalk and storm sewer modifications. On Field 2, which shall be the competition field for high school softball, PLSD will install lighting and a scoreboard, including without limitation any necessary extension of power, dugouts, a warning track, and any necessary fencing or field conditioning modifications. Additionally, PLSD will make any improvements necessary to Field 1 as agreed upon by the Program Administrators to allow for this field to be used as a JV or practice field. The City

shall maintain ownership of La Vista City Park Fields and any improvements thereon pursuant to this Agreement shall become the property of the City of La Vista. The City Administrator shall be authorized to execute such easements or other documents or instruments as required to allow PLSD to construct said improvements.

The City of La Vista at its sole cost will make the following contribution with respect to La Vista City Park Fields: City agrees to be responsible for all costs of electricity, water or other utilities usage; labor and fuel for mowing, striping, raking and other grounds keeping costs necessary to maintain the fields in a mutually agreed upon condition as set forth in general operating policies and procedures established or amended by the Program Administrators from time to time with respect to La Vista City Park Fields; and overall maintenance of the existing parking and attendant improvements and amenities. [r3]

It is further agreed that the above referenced contribution shall be the only cost, capital contribution, expense, reimbursement or rent PLSD shall owe or pay to the City for its use of the La Vista City Park Fields during the overall Term of Use of this Agreement unless otherwise agreed to by both parties. It is further agreed that the above referenced contribution by the City of La Vista shall be its only responsibility during the overall Term of Use of this Agreement unless otherwise agreed to by both parties.

The traffic impact to the surrounding neighborhood will be monitored and reviewed after the first season of play. If it is determined that a traffic study is necessary, the cost of such study would be shared equally by the PLSD and the City.

- (ii) In return for the PLSD agreement to make the above stated contribution, the City agrees that PLSD during the Term of Use shall be entitled to priority use of La Vista City Park Fields 1 and 2 from August 1 – October 31 without additional cost or expense consistent with its past usage of approximately 30 games per year plus summer clinics and practices. Summer Clinics and practices must take place in the mornings and conclude by 1:00 PM. PLSD shall also be entitled to the periodic use of La Vista City Park Fields 3 and 4 without additional cost or expense as needed upon request and approval of the City Program Administrator. The City will have access to and use of Fields 1 through 4 for its recreational sport programs, which generally run from April through early July each year and for other recreational programming needs. Field use shall be coordinated by the Program Administrators taking into consideration program changes, district and City needs and district and City growth during the Term of Use. Notwithstanding anything in this paragraph to the contrary, PLSD will be solely responsible for all uses of fields or related facilities pursuant to this Agreement, and will pay all related costs, including without limitation all umpires, staffing, security, equipment and supplies.

The overall Term of this Agreement will be from the Effective Date through the last

day of the overall Term of Use. The Effective Date shall be the last date this Agreement is executed below. The overall Term of Use shall be for a ten year time period and will run from August 1, 2015 through July 31, 2025.

During the Term of Use, PLSD shall be entitled to charge admission fees, sell memorabilia or other nonfood related items at any of its contests or during its use of La Vista City Park Fields and shall be entitled to keep all funds or revenue generated there from. The City currently has a food and beverage concession contract which will remain in place until or unless otherwise modified or superseded. The City at all times shall have exclusive rights to all food and beverage concession sales, and PLSD will not be entitled to use the concession area or sell food, beverages or other concessions at La Vista City Park Fields.

**B. Program Administrators.** Except as otherwise provided herein, the agreed upon Improvements and La Vista City Park Fields usage cooperative undertaking shall be administered by a program administrator from PLSD and a program administrator from the City (the "Program Administrator(s)"). The City hereby designates the Recreation Director of the City of La Vista as its Program Administrator for this cooperative undertaking. The School District hereby designates the Assistant Superintendent of Business Services as its Program Administrator for this cooperative undertaking. The Program Administrators shall be directly responsible for making decisions, administering and managing on a day to day basis this cooperative undertaking and the City's and PLSD's use during the overall Term of this cooperative undertaking. The Program Administrators shall also oversee, collaborate on and approve the scheduling and, in consultation with the City Engineer, the final design, plans, specifications, construction contracts and acceptance for the PLSD Improvements. A party's Program Administrator may be changed from time to time by said party appointing a successor Program Administrator upon no less than seven (7) days advance written notice to the other party.

2. **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the parties hereto, and their respective heirs, devisees, personal representatives, successors and assigns.
3. **Amendments.** This Agreement may only be amended or modified in a writing that is adopted and signed by all parties to this Agreement.
4. **Further Assurances.** Each party will use its best and reasonable efforts to successfully carry out and complete each task, covenant, and obligation as stated herein. Each of the parties shall cooperate in good faith with the other and shall do any and all acts and execute, acknowledge, and deliver any and all documents so requested in order to satisfy the conditions set forth herein and carry out this Agreement.
5. **Execution in Counterparts.** This Agreement may be executed on two or more counterparts, each of which shall be an original, but all of which shall constitute one and the same instrument.
6. **Governing Law.** All aspects of this Agreement shall be governed by the laws of the State of Nebraska. The invalidity of any portion of this Agreement shall not



invalidate the remaining provisions.

7. Interpretations. Any uncertainty or ambiguity existing herein shall not be interpreted against any party because such party prepared any portion of this Agreement, but shall be interpreted according to the application of rules and interpretation of contracts generally.
8. Relationship of Parties. Neither the method of computation of funding nor any other provisions contained in this Agreement nor any acts of any party shall be deemed or construed by the City or PLSD, or by any third person to create the relationship of partnership or of joint entity or venture or of any association between the parties, other than contractual relationships stated in this Agreement.
9. Assignment. Any assignment of this Agreement or any rights or obligations hereunder shall be subject to the prior written consent of the other party. .
10. Indemnification. Each party (“Indemnifying Party”) agrees to indemnify, release and hold harmless the other party, its officials, employees and agents (“Indemnified Party”) from and against all liabilities, claims, costs and expenses of the Indemnified Party arising out of or resulting from the Indemnifying Party’s breach of this Agreement or any negligent act or omission of the Indemnifying Party or its officials, employees or agents.
11. Incorporation by Reference. Recitals above and any documents referred to in this Agreement and as adopted or amended from time to time shall be incorporated herein by reference.

IN WITNESS WHEREOF, each of the parties hereto have executed and delivered this document by its duly authorized officer the date hereinafter shown.

SARPY COUNTY SCHOOL DISTRICT 0027

BY: \_\_\_\_\_ Date  
                    Authorized Official

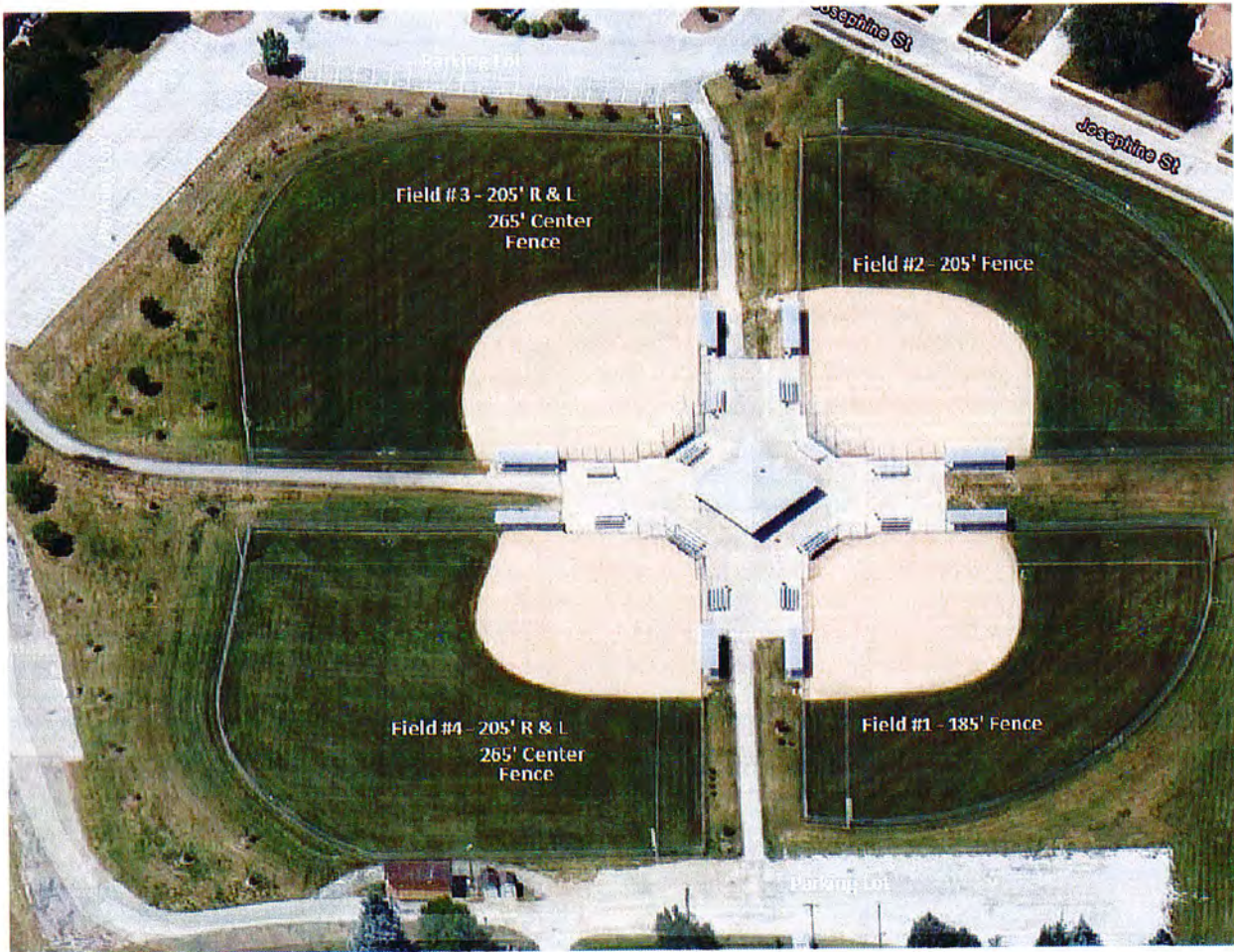
THE CITY OF LA VISTA, NEBRASKA

BY: \_\_\_\_\_ Date  
                    Authorized Official

**Exhibit "A" (Page 1 of 2.)**  
**La Vista City Park Fields [r4]**  
**7629 Josephine St.**  
**La Vista, NE 68128**



**Exhibit "A" (Page 2 of 2.)**  
**Enlarged View**  
**La Vista City Park Fields [r5]**  
**7629 Josephine St. La Vista, NE 68128**





**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
APRIL 21, 2015 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
THOMPSON CREEK, PHASE VI, PART 2 WATERSHED RESTORATION NET GRANT CONTRACT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER/ASSISTANT PUBLIC WORKS DIRECTOR

**SYNOPSIS**

A resolution has been prepared authorizing the execution of an Amendment to the 2013 Grant Contract with the Nebraska Environmental Trust (NET) for funding from their Environmental Trust Fund for activities associated with Thompson Creek Watershed Management. This is identified in the CIP as Phase VI, Part 2 of the Thompson Creek project.

**FISCAL IMPACT**

Funding has been budgeted in the CIP for FY 14/15. This amendment to the grant provides a third and final year of funding in the amount of \$100,000. The funding from the NET will cover approximately 40% of the overall costs for the Thompson Creek Watershed Restoration project. The project covers multiple budget years and also involves funding from the EPA through the NDEQ and the Papio-Missouri River NRD as well as City funds.

**RECOMMENDATION**

Approval subject to review by the City Attorney.

**BACKGROUND**

The City submitted grant applications to the Nebraska Department of Environmental Quality (NDEQ) and the Nebraska Environmental Trust (NET) in the fall of 2013 for funding of the Thompson Creek Watershed Management Project. Those applications were required in order to seek funding from the PMRNRD at the 60% level in their Urban Drainageway Program. A grant application was made to the PMRNRD in early March 2013 and a revised request was submitted in 2014 to seek an increase in funds and an adjustment in timing to match the current project schedule. The NDEQ has not approved any additional funding in response to the request made in the fall of 2014.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE 2013 GRANT CONTRACT WITH NEBRASKA ENVIRONMENTAL TRUST (NET) FOR FUNDING FROM THEIR ENVIRONMENTAL TRUST FUND FOR ACTIVITIES ASSOCIATED WITH THOMPSON CREEK WATERSHED MANAGEMENT.

WHEREAS, the City Council of the City of La Vista has determined that said Thompson Creek improvements are necessary; and

WHEREAS, the FY 2014/2015 Capital Improvement Program (CIP) has funding budgeted for this project; and

WHEREAS, the grant application was required in order to seek funding from the PNMRD; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorizing the execution of an amendment to the 2013 Grant Contract with Nebraska Environmental Trust (NET) for funding from heir environmental trust fund for activities associated with Thompson Creek Watershed Management, in form and content approved by the City Attorney.

PASSED AND APPROVED THIS 21ST DAY OF APRIL, 2015

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

## AGREEMENT TO AMEND CONTRACT - 2015

### WHEREAS:

A. The La Vista, City of (the Sponsor) submitted an application to the Nebraska Environmental Trust (the Trust) identified as #13-110 - Thompson Creek Watershed Restoration for the 2013 grant cycle. The Trust awarded a grant in the amount of \$ 525,000.00 on April 4, 2013 and entered into a contract as of April 4, 2013 to govern the disbursement and conditions of the grant.

B. The Sponsor was awarded a second year of funding for this grant project in 2014, identified as #13-110-2 in the amount of \$ 375,000.00 on April 3, 2014.

C. The Sponsor submitted another application to the Trust identified as # 13-110-3, La Vista, City of for the 2015 grant cycle. The Trust awarded an additional grant in the amount of \$ 100,000.00 to the Sponsor in the 2015 grant cycle on April 2, 2015.

D. The funds awarded for grants #13-110, #13-110-2, and #13-110-3 will be combined and administered under the grant #13-110-3. The amount of the combined grants to be administered under this agreement is \$1,000,000.00. As of March 31, 2015 the unexpended balance of these grants is \$ 776,868.46. Reports filed after April 2, 2015 shall be filed under Project #13-110-3.

E. The project funding period shall terminate on June 30, 2016. The Sponsor agrees to file additional reports and statements as described in Section D of the contract and according to the following schedule:

<u>a. Project Period</u>	<u>Report Due Date</u>
b. From inception through June 30, 2015	July 31, 2015
c. From July 1 through September 30, 2015	October 31, 2015
d. From October 1 through December 31, 2015	January 31, 2016
e. From January 1, 2016 through March 31, 2016	April 30, 2016
f. From April 1 through June 30, 2016	July 31, 2016

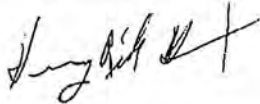
F. The Trust agrees to disburse funds following receipt of accurate reports as specified in the grant contract and according to the schedule specified in the above Section D of this amendment and upon compliance of the Sponsor with all other terms contained therein.

G. All other terms and conditions of the previous contract shall remain in force and apply to funds disbursed under this amendment to the contract.

IN WITNESS WHEREOF, the parties have executed this amendment and agree to abide in good faith by the terms herein and to the terms of the agreement hereby amended.

NEBRASKA ENVIRONMENTAL TRUST

FOR THE SPONSOR:



Henry Rick Brandt, Chair  
Date April 2, 2015

Authorized Signature for Sponsor

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date \_\_\_\_\_



Mark A. Brohman, Executive Director  
Date April 2, 2015

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
APRIL 21, 2015 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AWARD OF CONTRACT - CONCESSION STAND OPERATIONS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	SCOTT STOPAK RECREATION DIRECTOR

**SYNOPSIS**

A resolution has been prepared authorizing the Mayor to execute an extension to the contract with HAMS, Inc., Laurie Hamzhi, for operation of the concession stands at LaVista Sports Softball Complex, La Vista Soccer Complex, City Park, and the La Vista Community Center.

**FISCAL IMPACT**

The Contractor will pay the City a monthly commission of ten percent (10%) of gross food, beverage and merchandise concessions sold from the Softball Complex, Soccer Complex, City Park and Community Center. FY 13/14 \$1,363.00 was received in commission and FY 14/15 year to date \$245.00 has been received in commission.

**RECOMMENDATION**

Approval.

**BACKGROUND**

HAMS, Inc. has been under contract with the City of La Vista since 2005 for concession stand operations. The current contract expires on April 30, 2015 and staff is recommending that an extension be granted for three years.



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE MAYOR TO EXECUTE A ONE-YEAR CONTRACT WITH HAMS, INC., OMAHA, NEBRASKA, FOR THE OPERATION OF CONCESSIONS AT THE SPORTS SOFTBALL COMPLEX, SOCCER COMPLEX, CITY PARK, AND COMMUNITY CENTER.

WHEREAS, the City has determined that it is desirable to contract for the operation of concession stands at various recreation sites in the City with HAMS Inc.; and

WHEREAS, HAMS, Inc. operated concessions at various recreation sites in the City since 2005; and

WHEREAS, the current contract with HAMS, Inc. will expire in April of 2015; and

WHEREAS, the Recreation Director recommends extending the current contract with HAMS, Inc. for three years; and

WHEREAS, the contract provides for Hams Inc. to make payments of 10% of the gross revenues from all sales to the City; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the Mayor to sign a three-year contract with HAMS Inc., Omaha, Nebraska, for the operation of the concessions at the Sports Softball Complex , Soccer Complex, City Park and Community Center.

PASSED AND APPROVED THIS 21ST DAY OF APRIL 2015

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

**SOFTBALL COMPLEX, SOCCER COMPLEX, CITY PARK AND COMMUNITY CENTER  
CONCESSION OPERATION AGREEMENT**

THIS SOFTBALL COMPLEX, SOCCER COMPLEX , CITY PARK AND COMMUNITY CENTER CONCESSION OPERATION AGREEMENT is made and entered into APRIL \_\_\_\_\_, \_\_\_\_\_ by and between the City of La Vista, a Nebraska municipal corporation (hereinafter referred to as the "City") and Hams Inc., a Nebraska corporation, (hereinafter collectively referred to as "Contractor"), and Laurie Hamzhie (hereinafter referred to as "Guarantor").

WHEREAS, City has established and caused to be operated on its behalf, a softball complex concession stand, soccer complex concession stand, city park concession stand and community center concession stand; and

WHEREAS, City has determined that it is necessary and desirable to cause the softball complex concession stand, soccer complex concession stand, city park concession stand and community center concession stand as defined herein (the "Concession Operations") to be operated by Contractor as an independent contractor of City; and

WHEREAS, Contractor is willing and able to manage and operate such Concession Operations in accordance with terms hereinafter set forth.

NOW THEREFORE, in consideration of the foregoing and the mutual promises, terms, and covenants contained, the parties hereto agree as follows:

1. **Appointment of Contractor.** The City hereby appoints Contractor, and Contractor hereby accepts such appointment, to operate the Concession Operations on behalf of the City pursuant to the terms contained herein. Such Concession Operations shall include, but not be limited to, staffing and supervision with Contractor's own employees; record keeping and daily accounting of all revenues and expenses related to Softball Complex, Soccer Complex, City Park and Community Center Concessions Operations; preparation and submission of statements of operations; operation of Softball Complex, Soccer Complex, City Park and Community Center collection of revenues and disbursement of all expenses; purchasing and selling food and beverage concessions; purchasing supplies and services; procurement of insurance coverage's; maintenance and cleaning of the Softball Complex, Soccer Complex, City Park and Community Center concession facilities; maintenance of the area immediately surrounding the concession stands to keep the area free of litter during the stands' normal hours of operation; collecting, reporting and paying all payroll taxes in respect to all personnel employed by the Contractor; development and implementation of sales promotion programs; and such other activities as shall be necessary to successful Concession Operations. Contractor shall provide all services hereunder under the direct supervision of Laurie Hamzhie. Contractor shall operate all aspects of the Concession Operations such that concession stands are open for business during such hours as determined by the City and the City's Recreation Director.
2. **Independent Contractor.** In all matters pertaining to Concession Operations, Contractor is and shall be an independent contractor. Nothing contained in the Agreement or in the practice or course of dealing between the parties shall be construed to create a partnership, joint venture, agency or employment relationship or to create in Contractor any ownership interest in the Concession Buildings Softball Complex, Soccer Complex, City Park and Community Center or the operations thereof, except as otherwise specifically provided herein. No employee of Contractor shall be deemed to be an employee of city. However, the City expressly reserves the right to approve matters pertaining to policy for the concession Operations, including but not limited to, general staffing and qualifications therefore, concession products, and inventory mixture. Contractor acknowledges and agrees that it shall be the obligation of Contractor to report all income, compensation and fees received hereunder and to pay all applicable taxes in respect thereto and Contractor shall indemnify and hold harmless City against any obligation

imposed on City to pay withholding, social security, unemployment or other taxes, including interest and penalties in connection with any payments made to Contractor.

3. **Contractor's Employee's.** Contractor shall be responsible for hiring and staffing of employees at the concession stands and shall be responsible for the withholding and payment of all payroll taxes and the payment of all compensation and fringe benefits of its staff in compliance with all applicable laws.
4. **Term and Termination.** This Agreement shall be and become effective commencing May 1, 2015, and shall be effective for a term of three (3) years ending on April 30, 2018, with the option to renew for three additional twelve (12) month periods at the discretion of both the City and the Contractor. Notwithstanding the foregoing, either the City or Contractor may terminate this Agreement for any reason at any time upon written notice given from one party to the other at least thirty (30) days prior to the effective date of termination; provided, however, that if Contractor desires to terminate this Agreement and the date of termination is to occur during the months of March through October, Contractor shall provide at least ninety (90) days notice of termination. Notice of termination of the agreement shall not negate the contractor's obligation to pay rental fees to City and Contractor's obligation to operate Concession Operations as provided herein to the date of termination.
5. **Record Keeping Requirements.** Contractor agrees to maintain or cause to be maintained, on a calendar year basis, complete books and records of all aspects of the Concession Operations. Contractor shall submit to the City monthly financial reports for said operations no later than ten (10) days following the last day of each month's operations. Such monthly reports shall contain all information related to revenues, expenses, inventories and cost of goods sold, taxes and fees for the month reported. Contractor shall submit a year end report to City reporting such operations for the previous year on or before January 1st of each year. All records and reports shall be kept by Contractor in the manner and on the forms approved by City. City reserves the right to prescribe cash handling, accounting and reporting practices and procedures which shall be strictly followed by Contractor and shall at any time have the right without notice to review and examine all books and records of Contractor relating to the concession Operations. In addition, the City reserves the right to conduct, or cause to be conducted, an audit of contractor's books and records pertaining to the concession Operations, annually or more frequently as it shall determine. In such event, the City shall pay for the expense of such audit, provided however, that if such audit discloses shortages or non-compliance on the part of the Contractor, then Contractor shall pay the cost of the audit.
6. **Equipment and Furnishings.** Except for Concession inventory, supplies, and equipment purchased by Contractor in connection with Concession Operations, all machinery, equipment, furnishings and replacements thereof, whether purchased or leased by City, shall be the property of the City, and, at the termination of this Agreement, possession thereof shall be peaceably given to the city. All machinery, equipment and furnishings owned or leased by the City and used by the Contractor for Concession Operations shall be maintained, cleaned and repaired in a husband like manner by Contractor and Contractor shall, at all times, keep said machinery, equipment and furnishings in good working condition and repair. All City parts, mechanisms and devices required to keep the City equipment running in good repair shall be provided at the expense of the City. All Contractor parts, mechanisms and devices required to keep the Contractor equipment running in good repair shall be provided at the expense of the Contractor. Contractor shall have no authority to mortgage, encumber or otherwise hypothecate any of such equipment, machinery and furnishings, or to contract on behalf of the City for any improvements or repairs which would give rise to a mechanic's, artisan's or other lien against any of the same.
7. **Fees.** In consideration of use of the Concession buildings in accordance with the terms of this Agreement, Contractor shall pay operation fees as follows:



15. **Assignment.** This Agreement may not be assigned by Contractor without the prior written consent of the City.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first set forth above.

CITY OF LA VISTA, NEBRASKA,  
A municipal corporation

BY: \_\_\_\_\_  
Douglas Kindig, Mayor

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

CONTRACTOR: HAMS Inc.  
A Nebraska corporation,

BY: \_\_\_\_\_  
Laurie Hamzhie, President

**"Personal Guarantees:**

The undersigned hereby guarantees full performance of Hams, Inc. under the foregoing Agreement.

Date: \_\_\_\_\_

\_\_\_\_\_  
Laurie Hamzhie, Guarantor

The undersigned husband of Laurie Hamzhie, Guarantor, hereby guarantees full performance of Hams, Inc. under the foregoing Agreement.

Date: \_\_\_\_\_

\_\_\_\_\_  
Bijan Hamzhie"

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
APRIL 21, 2015 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
BLUE STAR MEMORIAL	RESOLUTION ORDINANCE ◆ RECEIVE/FILE	RITA RAMIREZ ASSISTANT CITY ADMINISTRATOR/ DIRECTOR COMMUNITY SERVICES

**SYNOPSIS**

An update on the status of the Blue Star Memorial project.

**FISCAL IMPACT**

Lottery Fund provided funding for this project.

**RECOMMENDATION**

N/A

**BACKGROUND**

There has been a desire on the part of the Mayor and City Council for some time to establish an area in the City to honor Veterans. Consequently, as part of the Civic Park Master Plan process, a significant area in the Belvedere section of the park was earmarked as a Veteran’s Memorial. This project is, however, a major undertaking and construction cannot be initiated until the park improvements are underway. As the timeline for park improvements is uncertain, City officials felt it was important to do something in the interim that would provide recognition and honor Veterans. It was determined that the installation of a Blue Star Memorial marker was a meaningful way to accomplish this goal.

The Blue Star Memorial program began with the planting of 8,000 Dogwood trees in 1944 as a living memorial to veterans of World War II. In 1945, the National Council of State Garden Clubs adopted the program and began a Blue Star Highway system, which covers thousands of miles across the country. A large metal Blue Star Memorial Highway Marker was placed at appropriate locations along the way.

The program was expanded to include all men and women who had served, were serving or would serve in the armed services of the United States. Memorial Markers and By-Way markers were added to the Highway Markers, to be used at locations such as National cemeteries, parks, veteran's facilities and gardens.

The Parks Committee has been working on the details of this project over the last several months. A rendering of the proposed installation is attached. La Vista’s Blue Star Memorial has been ordered and is scheduled to arrive this month. We are proposing that it be installed in the grassy area between City Hall and the Annex building, south of the sidewalk. A raised landscape bed would be constructed providing seating around the monument. Appropriate plantings would be put into place to provide for a pleasant experience during each of the growing seasons. The Blue Star Memorial could be moved in the future if we chose to make it a part of the Civic Park improvements.

The Memorial area would be unveiled and dedicated during the Salute to Summer Festival taking place over Memorial Day weekend. An event is being planned for Thursday evening, May 21<sup>st</sup>, to showcase this new Memorial and honor our Veterans. We envision that a ceremony would be held each year at this location as part of the Festival. The unveiling this year coincides very nicely with the Hometown Heroes Banner Program and we are planning to use the “Hometown Heroes” tagline to brand this event.

