

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
AUGUST 19, 2008 AGENDA

Subject:	Type:	Submitted By:
CONDITIONAL USE PERMIT — INDOOR RECREATIONAL FACILITY LOT 6, PAPIO VALLEY 1 BUS. PARK	◆RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled for Council to consider an application for a Conditional Use Permit for an indoor recreational facility on Lot 6, Papio Valley 1 Business Park, generally located west of 120th on Cary Circle.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

A public hearing has been scheduled to consider an application submitted by Omaha Metro Gymnastics and Eric Lilla, on behalf of the property owner, Elite Builders, Inc. or Brian Torczon, to approve a conditional use permit for an indoor recreational facility (gymnastics and related uses) at 12305 Cary Circle, on Lot 6, Papio Valley 1 Business Park, generally located west of 120th Street on Cary Circle. The property is zoned I-2 Heavy Industrial and includes an existing building with seven bays. The proposal is to allow for indoor recreation, specifically gymnastics for ages 9 month to 18 years; birthday parties; and a pro shop. The proposed use would occupy 9,000 sq. ft. of a 37,500 sq. ft. building.

City Engineer John Kottmann and staff have reviewed the application; review comments are included in the attached staff report.

The Planning Commission held a public hearing on July 17, 2008 and recommended approval of the conditional use permit to City Council subject to the resolution of items identified by the city engineer and staff.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR OMAHA METRO GYMNASTICS TO OPERATE AN INDOOR RECREATIONAL FACILITY (GYMNASTICS) ON LOT 6, PAPIO VALLEY 1 BUSINESS PARK.

WHEREAS, Omaha Metro Gymnastics, on behalf of Elite Builders, Inc., has applied for a conditional use permit for the purpose of operating an indoor recreational facility (gymnastics and related uses) on Lot 6, Papio Valley 1 Business Park, located at 12305 Cary Circle; 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, subject to the following conditions:

1. Off-street parking shall be provided for the use and the number of parking spaces shall be adequate to accommodate the patrons and guests of the use without negatively impacting or limiting the number of parking spaces for other existing or future tenants.

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 Omaha Metro Gymnastics to operate an indoor recreational facility (gymnastics and related uses) on Lot 6, Papio Valley 1 Business Park, subject to the condition listed in the last recital above.

PASSED AND APPROVED THIS 19th DAY OF AUGUST 2008.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

**CITY OF LA VISTA
PLANNING DIVISION**

RECOMMENDATION REPORT

CASE NUMBER: 4C

FOR HEARING OF: July 17, 2008
Report Prepared on July 8, 2008

I. GENERAL INFORMATION

- A. **APPLICANT:** Omaha Metro Gymnastics, Eric Lilla
- B. **PROPERTY OWNER:** Elite Builders, Inc., Brian Torczon.
- C. **LOCATION:** 12305 Cary Circle
- D. **LEGAL DESCRIPTION:** Papio Valley 1 Business Park, Lot 6
- E. **REQUESTED ACTION(S):** Open a business for Omaha Metro Gymnastics, which would provide for an indoor recreational facility as conditionally permitted I-2 Zone District in the City of La Vista Zoning Ordinance.
- F. **EXISTING ZONING AND LAND USE:**
I-2 Heavy Industrial, Gateway Corridor Overlay District, and Floodplain Overlay District; the property contains one existing building which houses seven bays of miscellaneous industrial uses and a newly constructed building of equivalent size.
- G. **PROPOSED USES:** The Conditional Use Permit would allow for indoor recreation, specifically gymnastics for ages 9 months to 18 years; birthday parties; and a pro shop in a 9,000 sq ft unit within a 37,500 sq ft building.
- H. **SIZE OF SITE:** 4.5 acres

II. BACKGROUND INFORMATION

- A. **EXISTING CONDITION OF SITE:** The property contains two buildings which have tenant bays for industrial flex space. The newly constructed building has not passed its final inspection so it does not have a certificate of occupancy yet. A substantial portion of the property (approximately the southern half of the lot) is within the 100-year floodplain.
- B. **GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**
 1. **North:** Papio Valley 1 Business Park; I-2 Light Industrial
 2. **East:** Papio Valley 1 Business Park; I-2 Light Industrial

3. **South:** Sarpy County Industrial Park; I-1 Heavy Industrial
4. **West:** Papio Valley 1 Business Park; I-2 Heavy Industrial

C. RELEVANT CASE HISTORY: None

III. ANALYSIS

- A. COMPREHENSIVE PLAN:** The Future Land Use Map of the Comprehensive Plan designates this property for industrial uses.
- B. OTHER PLANS:** Building plans are currently under review for the second building, in which the proposed indoor recreation facility is proposed.
- C. TRAFFIC AND ACCESS:**
 1. Access would be from an existing drive providing egress / ingress to Cary Circle. Two access points currently exist on the property. The plans need to be updated to show the access on the eastside of the property.
 2. Pedestrian access is provided by a perimeter sidewalk.
- D. UTILITIES:** All utilities are available to the site.
- E. PARKING REQUIREMENTS:**
 1. Parking requirements would follow the minimum needed for a recreational facility. Sixteen spaces exist on-site now, which are shared by seven different tenants (20 existing spaces are shown on the plan, and this needs to be corrected).
 2. Around 45 new spaces are planned for the new building under construction. These spaces will be shared by various tenants. *Note: the proposed minimum parking requirement for a recreation facility is one space per four occupants.*
- F. LANDSCAPING:** Plans show neither perimeter landscaping (trees or shrubs), nor parking lot interior landscaping. Existing landscaping is complete on site, so the plans should show the locations and species of trees, shrubs and other plantings.

IV. REVIEW COMMENTS:

1. Parking needs to be adequate for all tenants on the premises. The proposed parking area in the rear of the building is currently graveled, which would not be adequate for the city's parking standards. Any approved parking areas would need to be paved and striped.
2. 480 sq. feet of interior parking lot landscaping is required. This can be in the form of islands or "bump outs" into the parking lot from the perimeter

landscaping or from landscaping around the building. Landscaping requirements apply to the property owner to obtain a Certificate of Occupancy.

3. The plans do not delineate the 9,000 sq. feet of space Omaha Gymnastics will be leasing. Plans need to be revised to show this. An as-built plan should also be used, instead of the old grading plans.

V. STAFF RECOMMENDATION:

Approval of the Conditional Use Permit for Omaha Metro Gymnastics with the following conditions:

1. Adequate parking shall be provided for the use without negatively impacting the parking required for future or existing tenants on the premises.

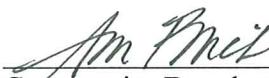
VI. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Draft CUP
3. Applicant's written proposal
4. Grading Plan, Site Utility Plan, and Site Paving Plan
5. City Engineer's Report

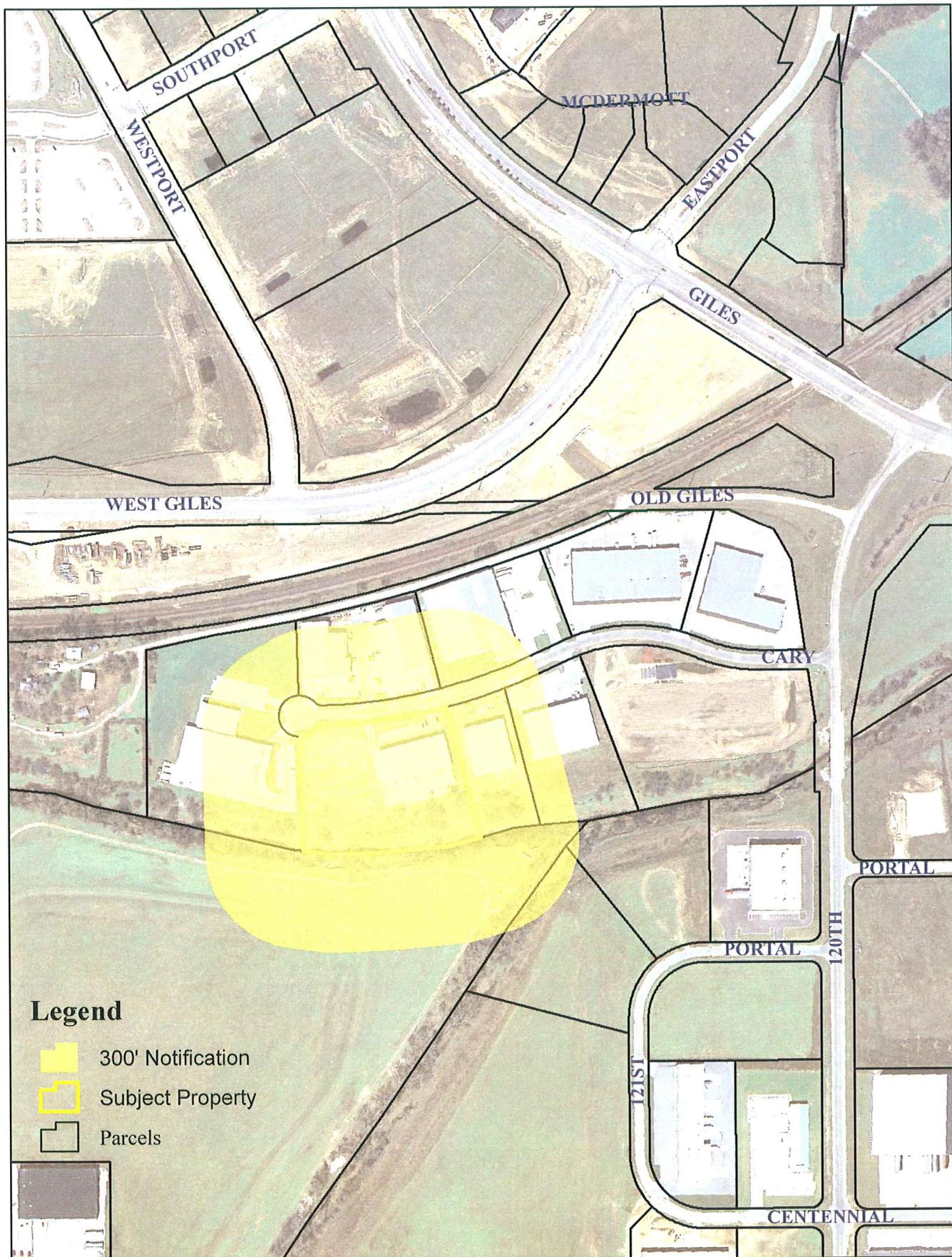
VII. COPIES OF REPORT TO:

1. Eric Lilla, Applicant
2. Brian Torczon, Owner
3. Larry Jobeun, Primary Contact
4. Doug Dreesen, TD2
5. Public Upon Request



Prepared by:
 8-14-08
Community Development Director Date

Vicinity Map



0 250 500
Feet

**City of La Vista
Conditional Use Permit**

Conditional Use Permit for Indoor Recreational Facility (Omaha Metro Gymnastics)

This Conditional Use Permit issued this _____ day of _____, 2008, by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska ("City") to, Elite Builders, Inc. ("Owner"), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner wishes to construct and operate an indoor recreational facility upon the following described tract of land within the City of La Vista zoning jurisdiction:

Lot 6, Papio Valley 1 Business Park located in the NE ¼ Section 19, Township 14 North, Range 12 East of the 6th P.M. Sarpy County, Nebraska, located at 12305 Cary Circle (9,000 sq. ft. of the building).

WHEREAS, Owner has applied for a conditional use permit for the purpose of locating and operating a indoor recreational facility; and

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

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this conditional use permit is issued to the owner to use the area designated on Exhibit "A" hereto for an indoor recreational 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 shall cause permit to expire and terminate without the prior written consent of the City (amendment to permit) or unless exempted herein.
2. In respect to the Permitted Use:
 - a. A site plan showing the property boundaries of the tract of land and easements, proposed structures, parking, access points, and drives shall be provided to the City and attached to the permit as "Exhibit B".
 - b. Hours of operation for said indoor recreational facility will generally be from 10 a.m. – 12 p.m. on Tuesdays, Wednesdays and Thursdays; Monday through Friday from 4 p.m. – 8 p.m.; and Saturdays from 8 a.m. – 5 p.m.
 - c. There will be approximately _____ employees for the Permitted Use.
 - d. There shall be no storage, placement or display of goods, supplies or any other material, substance, container or receptacle outside of the indoor rec. facility, except trash receptacles and those approved in writing by the City.
 - e. There shall not be any outside storage of materials. All trash receptacles, benches and planters shall be placed on property and securely fastened to building or concrete. Trash dumpsters shall be placed with a trash enclosure of six feet in height.
 - f. There shall not be any on-street parking permitted on Cary Circle.

- g. Off-street parking shall be provided for the Permitted Use and the number of parking spaces shall be adequate to accommodate the patrons and guests of the Permitted Use without negatively impacting or limiting the number of parking spaces for other existing or future tenants.
- h. Landscaping requirements from Section 7.17 of the City of La Vista Zoning Ordinance shall be satisfied and maintained by the property owner.
- i. 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.
- j. 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.
- k. 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 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 _____, 2008, 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.

Miscellaneous

The conditions and terms of this permit shall be binding upon owner, his successors and assigns.

1. Delay of City to terminate this permit on account of breach of owner of any of the terms hereof shall not constitute a waiver of City's right to terminate, unless it shall have expressly waived said breach and a waiver of the right to terminate upon any breach shall not constitute a waiver of the right to terminate upon a subsequent breach of the terms hereof, whether said breach be of the same or different nature.
2. Nothing herein shall be construed to be a waiver or suspension of, or an agreement on the part of the City to waive or suspend, any zoning law or regulation applicable to the premises except to the extent and for the duration specifically authorized by this permit.
3. Any notice to be given by City hereunder shall be in writing and shall be sufficiently given if sent by regular mail, postage prepaid, addressed to the owner as follows:

Contact Name and Address:	Eric Lilla Omaha Metro Gymnastics 13820 P Street Omaha, NE 68128 (402) 505-7600	Brian Torczon Elite Builders, Inc. 8007 S. 103 rd Street La Vista, NE 68128 (402) 306-0834
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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:

Pamela A. Buethe
City Clerk

CONSENT AND AGREEMENT

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

Owner:

By: _____

Title: _____

Date: _____

Omaha Metro Stars Gymnastics

It is the mission of OMSG to touch the lives of children of all ages and abilities, helping them to gain self-esteem and physical well-being through participation in the sport of gymnastics. According to the President's Council on Physical Fitness and Sports more than 13 percent of children between the ages of 2 and 5 are overweight. This figure rises to 19 percent for children ages 6 to 11. This lack of physical fitness can lead to a lifetime of health problems including diabetes, heart disease, and high cholesterol. In order to maintain the physical well-being of our young children, the National Association of Sports and Physical Education recommends infants, toddlers, and pre-schoolers should engage in at least 60 minutes of physical activity daily. Gymnastics is an excellent source of physical activity because it incorporates all areas of the body and also promotes the cognitive growth of a child. It is the goal of Omaha Metro Stars Gymnastics to improve the physical well-being of young children through the sport of gymnastics.

Omaha Metro Stars Gymnastics offers quality gymnastics instruction to children ages 9 months through 18 years of age. Through lesson plans created to meet the specific needs of young children, we intend to foster their physical, emotional, and social growth through gymnastics. All lesson plans are designed by a licensed occupational therapist and focus on developmental progression proven to encourage success in motor development.

Omaha Metro Stars strives to provide a safe and exciting environment to introduce children to the world of gymnastics. Research demonstrates that children learn best through exploration. Through our specially designed classes, young children have the opportunity to explore their bodies and the environment around them. Our focus is on the development of basic motor skills, balance, coordination, confidence, and social interaction. Each of our recreational classes targets a specific age group enabling lesson plans to cater to the developmental level of the children. In the descriptions that follow, the goals and target audience of each class is outlined.

1. Little Dippers

Little Dippers classes are for boys and girls who have met the developmental milestone of walking up to 3 years. Children will learn basic positions, simple tumbling skills, and explore gymnastics equipment. An adult is required to attend with each child. The ratio of this class is 7:1.

2. Big Dippers

Big Dippers classes are for boys and girls ages 2.5 through 4 years. Children will learn basic positions, tumbling skills, and motor coordination. Children are encouraged to attend this class independently. The ratio for this class is 5:1.

3. Shooting Stars

Shooting Stars classes are for boys and girls ages 4 and 5 years. Children will learn basic positions, more advanced tumbling skills, and motor coordination. Children will attend this class independently. The ratio of this class is 6:1.

4. Super Novas

Super Nova classes are for boys ages 5 through 7 years. Children will learn basic positions, gymnastics skills on each apparatus specific to men's gymnastics, and motor coordination. Children will attend this class independently. The ratio of this class is 6:1.

5. Shining Stars

Shining Stars classes are for girls ages 5 through 7 years. Children will learn basic positions, gymnastics skills on each apparatus specific to women's gymnastics, and motor coordination. Children will attend this class independently. The ratio of this class is 6:1.

6. Beginner, Intermediate, and Advanced Classes

Beginner, Intermediate and Advanced Classes are offered for girls and boys ages 7 and up. Classes are determined by gender and ability level. Specific skills must be mastered in order to move from Beginner to Intermediate and from Intermediate to Advanced. Movement is based up periodic testing of skills. The ratio of each class will be 7:1.

7. Tumbling Specific

Tumbling classes are offered for girls and boys ages 6 and up. Children are placed into classes by age with one class offered for children ages 6 – 9 years and 9 years and older. Classes focus specifically on tumbling skills and utilize the floor exercise apparatuses exclusively. The ration of each class will be 7:1.

8. Non Competitive Cheer

Non-competitive cheer classes are offered for children ages 6 and up. This class focuses on cheerleading fundamentals including tumbling, basic cheers, jumps, and dance. This class does not perform in the community or at competitions but is designed to offer children an introduction to the sport of cheerleading.

9. Special Stars

Special Stars classes are for boys and girls ages 3 through 12 years who present with differing abilities. Children are given the opportunity to explore their bodies and the environment despite physical or mental challenges. This class is taught by an occupational therapist trained in physical and cognitive disabilities.

Children are placed in classes by age. As the child gains gymnastics experience and becomes familiar with the curriculum they progress through the program. It is essential to continually address the child's needs based not only on age, but also on the child's ability. It is up to the discretion of the instructors if a child is to progress based upon ability rather than age. It is important to continue to challenge every child in order to retain their interest in the program. Classes maintain low ratios to provide individualized instruction.

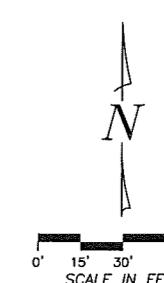
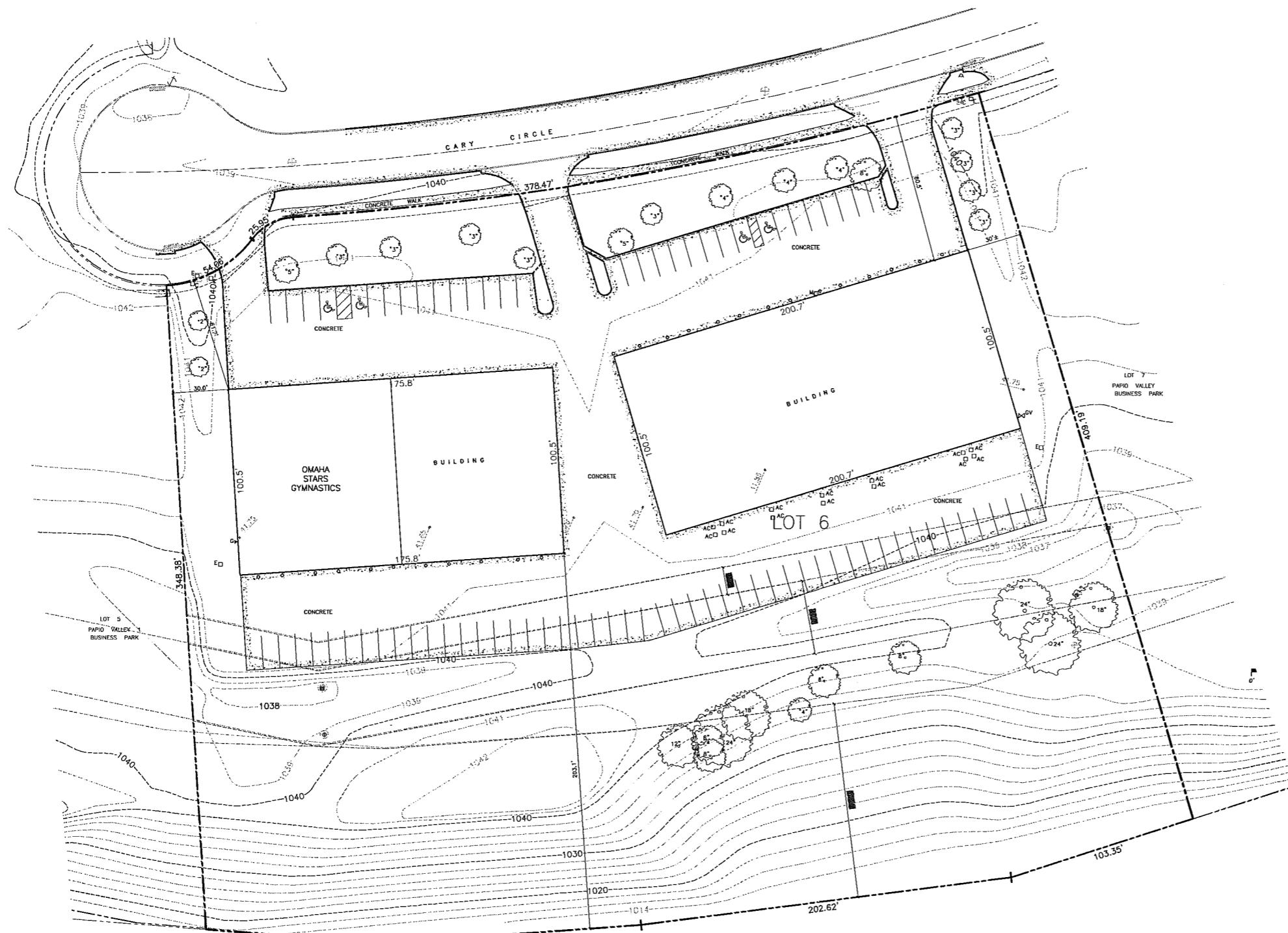
In addition to the aforementioned classes, other products and services that are offered include birthday parties and the OMSG pro-shop. Birthday parties provide an exciting party experience for up to 18 children. Parties at OMSG are a unique experience due to our structure and attention to detail. Parties include one hour of gymnastics instruction during which children learn over 20 simple gymnastics skills. Following the instruction children engage in parachute games and then utilize their new skills in an obstacle course. Families also have 30 minutes for refreshments and opening presents in our party room. Birthday parties include exclusive use of our facility, qualified instructors, all paper products, personalized invitations, and a parachute decorated by party guests.

The pro-shop is a designated area used to offer products related to gymnastics, including apparel and small gifts. Examples include leotards, t-shirts, shorts, items with OMSG logos, gymnastics accessories, and gymnastics equipment for home use. Students will find all necessary items for participation as well as items to display their pride in the sports of gymnastics and cheerleading.

OMSG's hours of operation are from 10 am – 12 pm on Tuesdays, Wednesdays, and Thursdays, where we teach several pre-school gymnastics classes. We are open Monday through Friday from 4 pm – 8 pm where we teach the majority of our school-age students. We also offer classes on Saturdays between 8 am and 12 pm, and our birthday parties take place on Saturdays between 1 pm and 5 pm.

OMAHA STARS GYMNASTICS

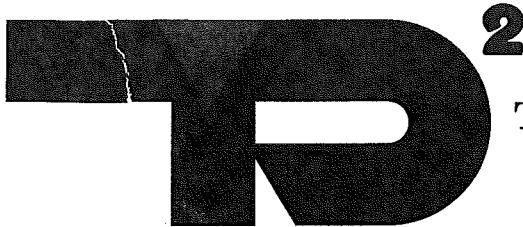
CONDITIONAL USE PERMIT



1402-108
SCALE IN FEET

2 THOMPSON, DREESSEN & DORNER, INC.		LOT 6, PAPIO VALLEY	
Consulting Engineers & Land Surveyors		CONDITIONAL USE PERMIT	
10836 OLD MILL ROAD OMAHA, NEBRASKA 68154		SITE PLAN	
PHONE: 402.330.8860 FAX: 402.330.8860 EMAIL: TDMAIL@TD2CO.COM		WEBSITE: WWW.TD2CO.COM	
1402108Site_REVISED 07-16-08.DWG		SHEET 1 OF 1	
Scale:	AS SHOWN	Date:	JUL. 16, 2008
Drawn by:	IBB	Checked by:	OSD
Revised by:		Approved by:	





THOMPSON, DREESSEN & DORNER, INC.
Consulting Engineers & Land Surveyors

June 17, 2008

Mr. Marcus Baker
City Planner
City of La Vista
8116 Park View Boulevard
La Vista, NE 68128

ROBERT E. DREESSEN, P.E.
NELSON J. HYMANS, P.E.
JAMES D. WARNER, L.S.
CHARLES E. RIGGS, P.E.
KA "KIP" P. SQUIRE III, P.E., S.E.
JOHN M. KOTTMANN, P.E.
ARTHUR D. BECCARD, P.E.
DOUGLAS S. DREESSEN, P.E.
DEAN A. JAEGER, P.E.
RICHARD M. BROYLES, L.S.
DAVID H. NEEF, L.S.
RONALD M. KOENIG, L.S.
CHRIS E. DORNER, L.S.

TIMOTHY T. PAPSTEIN, P.E.
MICHAEL J. SMITH, L.S.
TROY J. NISSEN, P.E., S.E.
DOUGLAS E. KELLNER, P.E.
GARY A. NORTON, P.E.
BRIAN L. LODES, P.E.
KURTIS L. ROHN, P.E.
JEFFREY L. THOMPSON, P.E.
DAREN A. KONDA, P.E.
MICHAEL T. CANIGLIA, L.S.
JEREMY T. STEENHOEK, P.E.
JOSHUA J. STORM, P.E.

RE: Rezoning & Conditional Use Permit Reviews 2008
Lot 6, Papio Valley I Business Park-12305 Cary Circle
Proposed Conditional Use Permit for Omaha Metro Gymnastics
TD² File No. 171-357.3

Marcus:

I have reviewed the application and supporting information that were received in this office on June 6, 2008 for a proposed conditional use permit for indoor recreation at the above-referenced location. The application indicates that the permit would apply to 9,000 square feet of the existing 37,500 square feet of space available at this location. I am of the opinion that the application is not consistent with Articles 6.05.02, 6.05.03, and 6.05.04 of Section 6.05 of the La Vista Zoning Regulations. The primary reason for this opinion is the amount of parking that would be needed by this use as compared to the amount of parking available. The application indicates a total of 31 parking spaces on the site for the 37,500 square feet of building. The proposed use could occupy all those parking spaces allowing for staff and parents of one group of students (or birthday party guests) while another group arrives and waits for their turn. This would leave no spaces for the rest of the building tenants to utilize.

I do not recommend approval of this use permit.

Submitted by,

THOMPSON, DREESSEN & DORNER, INC.

A handwritten signature in black ink that reads "John M. Kottmann". The signature is fluid and cursive, with "John M." on top and "Kottmann" on the line below.

John M. Kottmann, P.E.

JMK/jlf

cc: File

Marcus Baker

From: John Kottmann [jkottmann@td2co.com]
Sent: Wednesday, July 16, 2008 5:23 PM
To: Marcus Baker
Subject: RE: Workshare Professional Review: ParkingAnalysis.doc (Version 1)

Marcus

I do find some comfort in this revised operating statement. The prior information I had showed students up to 18 years (thus driving themselves) and spoke of birthday party events which indicated to me that most parents would be staying to observe and partake in the festivities. The application makes note of using the code minimum of 1 stall per 4 occupants. However, the number of occupants is determined by building and/or fire code issues and not the applicant's intentions so I don't believe that number relates to this situation which is not really a place of public assembly operation. The most critical period in my view of the information is the Saturday morning period with two classes containing 32 students and 4 instructors and the applicant's statement that about 20% of the parents stay to observe. This would indicate 11 stalls needed. We must consider the remaining portion of the building (ignoring the separate building to the east for the moment) and that permitted uses can take place there which may or may not operate on Saturdays. One such use that would have Saturday traffic is something like a tile store, of which there are several in the nearby industrial lots. There are 14 stalls in front of this building which would leave 3 stalls for the remaining 8,000 square feet in this building. If we apply the proposed new code number of 1 stall per 3,000 square feet of flex-space, then this need would meet the code for the remaining bay. Some additional parking could be accommodated by the instructors and/or business owners parking the rear of the building.

So, based upon the revised information excluding birthday parties and classes of an age group old enough to drive, I am of the opinion that 11 stalls is adequate based on the applicant's claim of only 20% of parents staying to watch during the elementary age classes. The operating characteristics in this revised statement should be made part of the CUP.

John Kottmann

From: Marcus Baker [mailto:mbaker@ci.La-Vista.ne.us]
Sent: Wednesday, July 16, 2008 9:14 AM
To: Ann Birch; John Kottmann; Jeff Slinett
Subject: FW: Workshare Professional Review: ParkingAnalysis.doc (Version 1)

Please take a look at Omaha Metro Gymnastics defense of parking spaces.

John, what parking standard are we currently using for a minimum on indoor recreation? We do not have a category for indoor recreational facilities in our current code; however, the proposed standard is one space per four occupants that the facility would accommodate.

Are we comfortable with their analysis?

J. Marcus Baker, AICP
Planner, City of La Vista
Department of Community Development
8116 Park View Blvd
La Vista, NE 68128
(402) 331-4343

From: Larry Jobeun [mailto:Larry@fdjlaw.com]
Sent: Tuesday, July 15, 2008 4:10 PM
To: Marcus Baker