

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
DECEMBER 2, 2008 AGENDA**

Subject:	Type:	Submitted By:
CONDITIONAL USE PERMIT — HEALTH CLUB LOT 1, SOUTHPORT EAST REPLAT 10	◆ 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 a health club to be known as Farrell's Extreme Bodyshaping on Lot 1, Southport East Replat 10, generally located northwest of Port Grace Blvd. and Eastport Parkway.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

A public hearing has been scheduled to consider an application submitted by Farrell's Extreme Bodyshaping and Brent Nickel, on behalf of the property owner, Southport Plaza, LLC, or Brad Underwood, to approve a conditional use permit for health club at 7428 Eastport Parkway, on Lot 1, Southport East Replat 10, generally located northwest of Port Grace Blvd. and Eastport Parkway. The property is zoned C-3 Highway Commercial/Office Park District and includes an existing building with a portion of the building being used as a childcare center. The proposal is to allow for fitness classes and related offices, and would occupy 4,000 sq. ft. of a 12, 238 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 November 20, 2008 and recommended approval of the conditional use permit to City Council.

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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 FARRELL'S EXTREME BODYSHAPING, TO OPERATE A HEALTH CLUB ON LOT 1, SOUTHPORT EAST REPLAT 10.

WHEREAS, Farrell's Extreme Bodyshaping and Brent Nickel, on behalf of the property owner Southport Plaza, LLC, and Brad Underwood, has applied for a conditional use permit for the purpose of operating a health club to be known as Farrell's Extreme Bodyshaping on Lot 1, Southport East Replat 10, located at 7428 Eastport Parkway; 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 Farrell's Extreme Bodyshaping and Brent Nickel to operate a health club to be known as Farrell's Extreme Bodyshaping on Lot 1, Southport East Replat 10.

PASSED AND APPROVED THIS 2nd DAY OF DECEMBER 2008.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

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**CITY OF LA VISTA
PLANNING DIVISION**

RECOMMENDATION REPORT

CASE NUMBER:

FOR HEARING OF: December 2, 2008
Report Prepared on November 24, 2008

I. GENERAL INFORMATION

- A. APPLICANT:** Farrell's Extreme Bodyshaping, Brent Nickel
- B. PROPERTY OWNER:** Southport Plaza, LLC, Brad Underwood
- C. LOCATION:** 7428 Eastport Parkway
- D. LEGAL DESCRIPTION:** Lot 1, Southport East Replat 10
- E. REQUESTED ACTION(S):** Approval of a Conditional Use Permit to allow for a health club.
- F. EXISTING ZONING AND LAND USE:**
C-3, Highway Commercial / Office Park District and Gateway Corridor District. Southport Plaza has been constructed at this location with a portion of the building being used as a childcare center.
- G. PURPOSE OF REQUEST:** The proposal is to allow a tenant finish for a health club in the Southport Plaza building.
- H. SIZE OF SITE:** Approx. 4,000 square feet of the building is proposed for the health club. The lot is approximately two acres.

II. BACKGROUND INFORMATION

- A. EXISTING CONDITION OF SITE:** Southport Plaza phase one construction was completed in 2007.
- B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**
 - 1. North:** C-3, Harrison Street
 - 2. East:** TA, Sod Farm
 - 3. South:** C-3, Lot 2, Southport East Replat 10 / Vacant
 - 4. West:** C-3, Southport East Replat Four / Southport Professional Building #2
- C. RELEVANT CASE HISTORY:** Southport East Replat 10

D. APPLICABLE REGULATIONS:

1. Section 5.12, Zoning Ordinance, regarding C-3 Zoning District
2. Section 5.17, Zoning Ordinance, regarding Gateway Corridor Dist.
3. Section 6.05, Zoning Ordinance, CUP Standards for Approval
4. Southport Architectural and Site Design Guidelines

III. ANALYSIS

A. COMPREHENSIVE PLAN: The Future Land Use Map of the Comprehensive Plan designates this property for commercial uses in the gateway corridor.

B. OTHER PLANS: Southport Plaza Architectural Design Review

C. TRAFFIC AND ACCESS:

1. Access is from Eastport Parkway.
2. Pedestrian and vehicular cross-lot access is constructed to the adjoining property to the west (Southport Professional Buildings).
3. Pedestrian access is provided to the perimeter sidewalk, which follows Eastport Parkway. This access point is separate from the vehicular access to Eastport Parkway to provide for pedestrian safety.
4. Twenty-two parking spaces are required for the health club. The site layout plan shows a total of 58 stalls for this building which meets the needs for both the health club and the existing childcare center. Approximately 1,400 sq. feet will be remaining as leasable space.

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

IV. REVIEW COMMENTS:

1. The health club is proposing two 45 minute classes per day to begin with. The first class would start at 6:30 a.m. and the second at 5:30 p.m. The evening start time would likely conflict with parents picking up their kids from the childcare center, which could create traffic congestion and safety concerns for pedestrians. Tenant management of the on-site circulation may be necessary.
2. The class size is not expected to exceed 30 students.
3. Both the Fire Chief and the Police Chief have reviewed the proposal and have no concerns at this time.

V. PLANNING STAFF RECOMMENDATION:

Approval of the Conditional Use Permit to allow a health club in the C-3 zoning district.

VI. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Letter of the proposed use submitted by the applicant
3. Draft Conditional Use Permit with Exhibit "A"

VII. COPIES OF REPORT SENT TO:

1. Brent Nickel, Applicant
2. Brad Underwood, Owner
3. Public Upon Request

Prepared by:

Community Development Director

Date

October 3, 2008

To: LaVista Planning Department and City Council

Re: Conditional Use Permit at Southport Plaza

The Farrell's Extreme Bodyshaping course is a 10-week conditioning program created to help each individual quickly get to a higher level of fitness. Fitness kickboxing brings together rhythmic martial arts and bag training. Farrell's Extreme Bodyshaping was established in Iowa. This will be our second facility in Nebraska. The first location in Omaha is located off of 156th and Dodge Street.

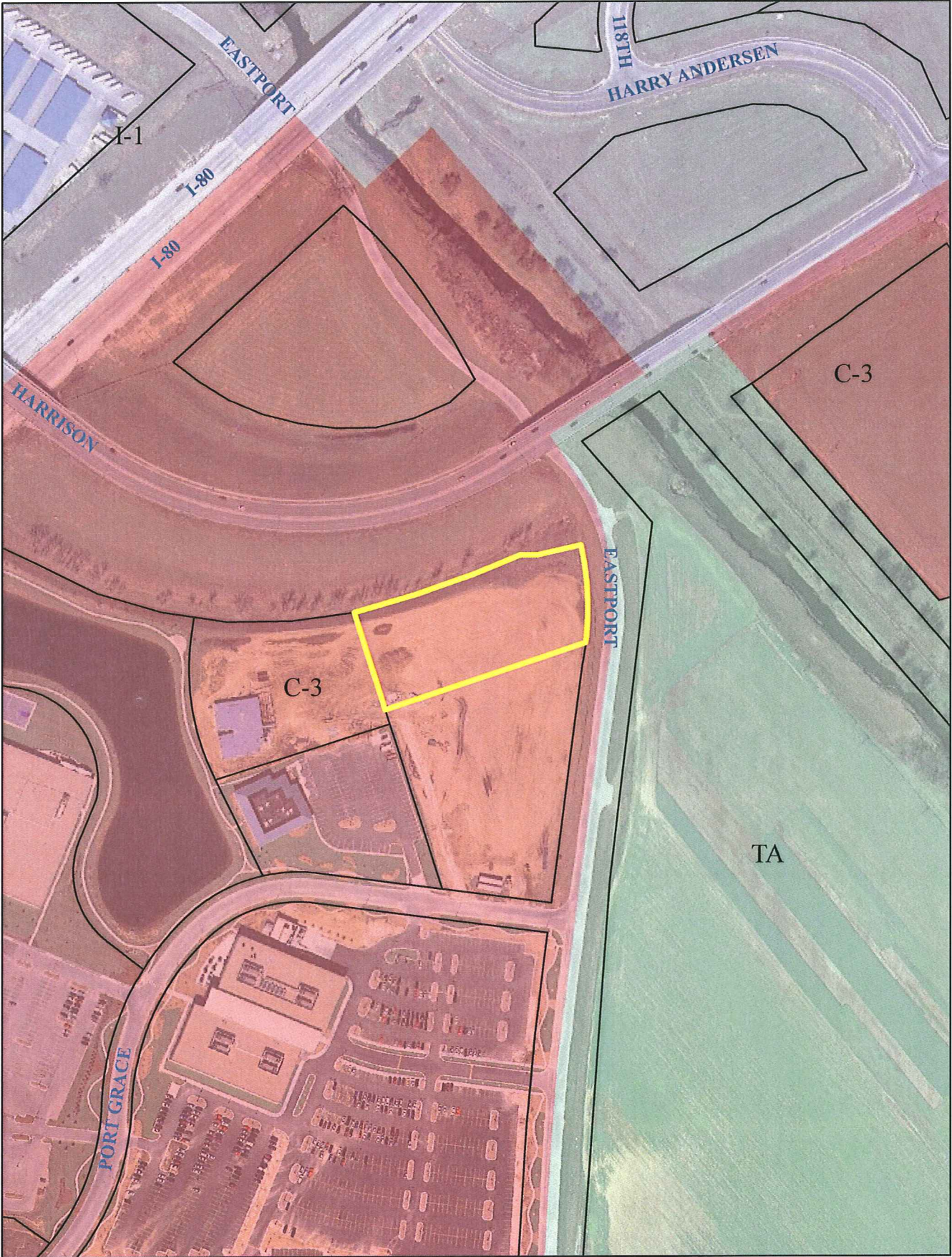
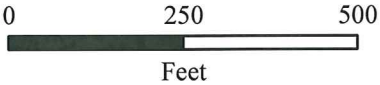
The Southport Plaza facility will start with two 45-minute classes per day, with the first class starting at 6:30 am and the second at 5:30 pm. Initially, we will employ two full time employees. We expect to have no more than 30 students per class. As the demand grows we will expand with class times held at our other locations. (5 am, 6 am, 11:45 am, 4:30 pm, 5:30 pm, and 6:30 pm Monday thru Friday with Saturday morning classes at 8 am).

I would be happy to answer any additional questions you may have.

Sincerely,

Brent Nickel
Vice President

Vicinity Map



Legend



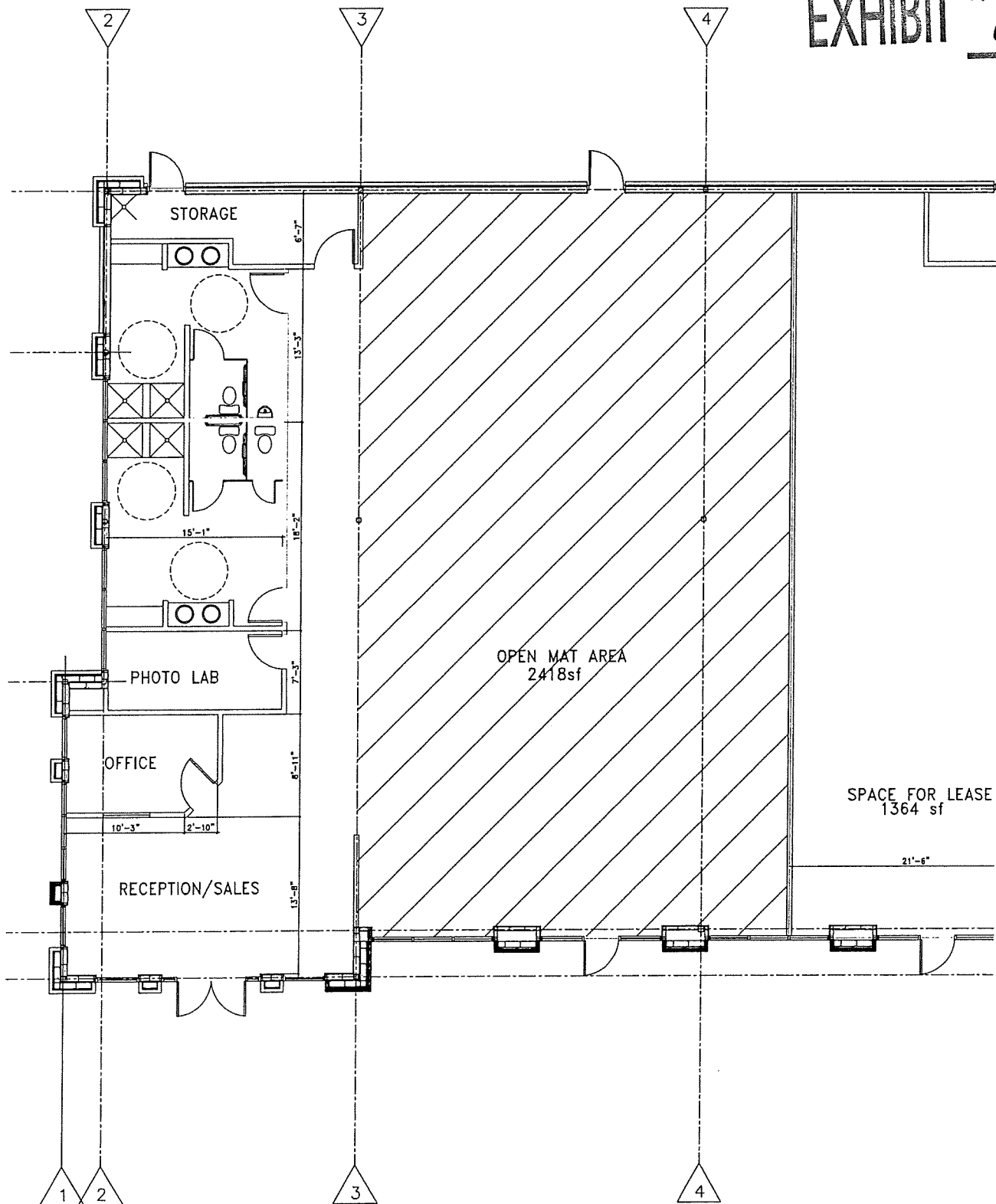
-  Southport Plaza
-  Parcels

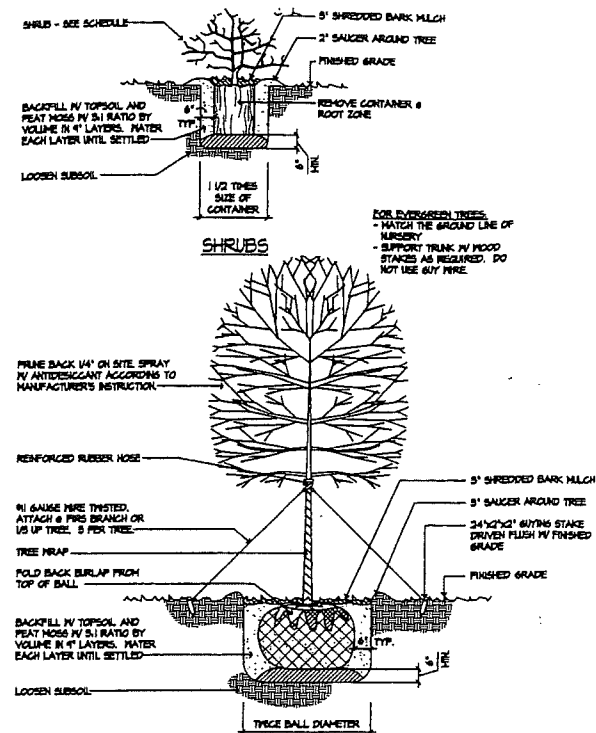
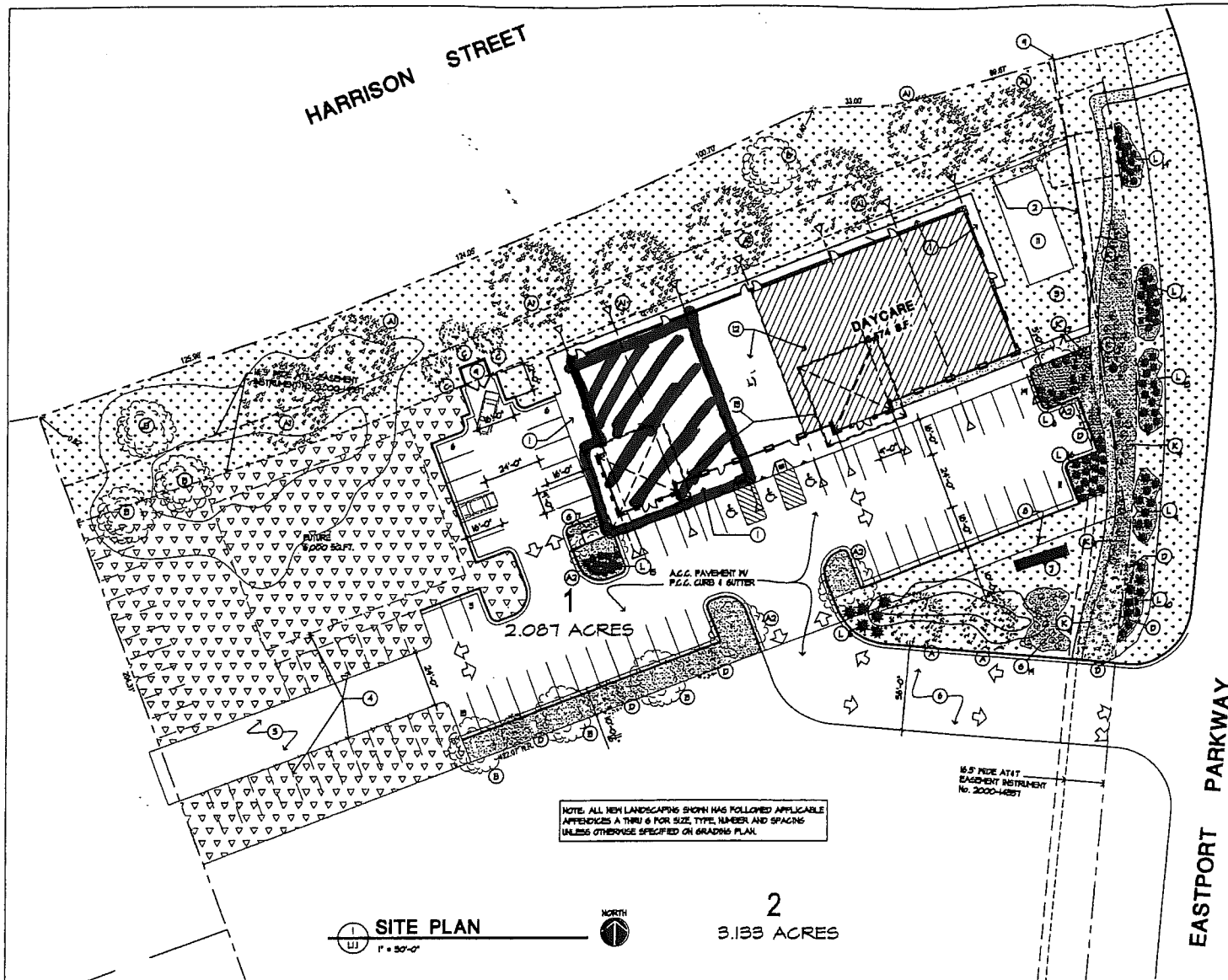
EXHIBIT "A"



SOUTHPORT PLAZA
 FARRELL'S EXTREME BODYSHAPING
 REVISED 9/4/2008
 SCALE: 1/8" = 1'-0"

D³ interiors

D3 Interiors
 3919 South 147th Street #124
 Omaha, NE 68144
 Phone: 402-502-7309
 Fax: 402-502-7312



GENERAL NOTES:

1. ALL DRAINAGES, ELEVATIONS, & CONDITIONS SHALL BE FIELD VERIFIED IN GVL DRAWINGS PRIOR TO COMMENCING WORK.
2. LANDSCAPED AREAS DESIGNATED TO BE IRRIGATED IN WASH REGIONAL SPRINKLER SYSTEM SHALL BE DESIGNATED BY OTHERS. VERIFY LOCATIONS IN W.P.L.N.
3. WORK REQUIRED TO DISGUSTE THE PLANTING POND SHALL INCLUDE PURCHASING ALL NECESSARY EQUIPMENT, MATERIAL, AND LABOR.
4. PROVIDE TREES AND SHRUBS FOR THE TYPE AND SIZE INDICATED BY THE LANDSCAPE SCHEDULE.
5. THE OWNER RESERVES THE RIGHT TO INSPECT AND TAG STOCK AT THEIR PLACE OF GROWTH AND TO EFFECT TREES AND SHRUBS AT THE PLANTING SITE BEFORE DELIVERING FOR OFFSITE PLANT WITH REQUIREMENTS FOR NAME, VARIETY, SIZE AND QUALITY.
6. DETERMINE LOCATION OF ALL UNDERGROUND UTILITIES. PERFORM WORK IN A MANNER WHICH WILL AVOID POSSIBLE DAMAGE. HAND EXCAVATE AS REQUIRED TO AVOID POSSIBLE DAMAGE.
7. PLANTING METHOD SHALL BE IN ACCORDANCE WITH APPROVED LOCAL HORTICULTURAL PRACTICES.
8. GUARANTEE TREES AND SHRUBS FOR A PERIOD OF ONE (1) FULL GROWING SEASON AFTER PLANTING. NEGLECT DROUGHT AND UNSATISFACTORY GROWTH EXCEPT FOR DEFECTS RESULTING FROM NEGLECT BY OWNER OR ABUSE OR DAMAGE BY OTHERS.
9. PROVIDE 2" LAYER OF "NO-BLOW" CERAM BALL IN ALL SHRUB BEDS.
10. ALL AREAS DESIGNATED AS "SOIL" ON PLAN SHALL BE SOODED. SOO SHALL BE STATE CERTIFIED AND FRESH IN TYPE.
11. ALL AREAS DESIGNATED AS "TREE" ON PLAN SHALL BE FRESH IN TYPE. SEE PLAN FOR LOCATIONS.
12. LAWN IRRIGATION SUBCONTRACTOR SHALL SUPPLY PRESSURE RELIEF VALVE AND BACKFLOW PREVENTER IN SET OUTSIDE OF BUILDING. LAWN IRRIGATION METER AND METER SET STUD-OUT ARE LOCATED FROM THE MAIN BUILDING IN HATCH / UTILITY ROOM SEE PLAN.
13. COORDINATE THE LOCATION OF ALL TREES & SHRUBBERY IN OTHER.

SITE ELEMENTS LEGEND

- 1 POLISHED CONCRETE PAVEMENT
- 2 8' HIGH AMERICAN GLOUCESTER PLUS "VALENTIC" STYLE ALUMINUM FENCE W/ GATE FENCE 1 GATE BLADE POWDER COATED FINISH FENCE APPROVED BY CITY COUNCIL FOR PORT GATEWAY CORRIDOR DISTRICT. - SEE CIT SHEET ON L12
- 3 SODDED PLAYGROUND AREA
- 4 FUTURE BUILDING AND PARKING
- 5 24' W. 2-WAY TRAFFIC LANE TO NEST ADJACENT LOT
- 6 56' W. ENTRANCE DRIVE
- 7 MONUMENT SIGN
- 8 FLAG POLE W/ USA AND/OR STATE FLAG
- 9 TRASH ENCLOSURE - MATCH SECONDARY BUILDING MATERIALS USED ON BUILDING
- 10 SIGHT DISTANCE EASEMENT LINE - SEE CIVIL
- 11 FUTURE PLAYGROUND EQUIPMENT BY OWNER
- 12 ROOF CONSISTS OF A 1/4:12 SLOPE, WHITE, FULLY-ADHERED MEMBRANE ROOF SYSTEM W/ POLY-ISO INSULATION OVER METAL DECK AND DRAIN JOISTS
- 13 1/2:12 SLOPE, STANDING SEAM METAL ROOF ENTRY TOWERS - SEE ELEVATIONS

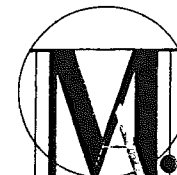
GRASS SYMBOL LEGEND:

- AREA TO RECEIVE BLUE GRASS + PESQUE SOD + UNDERGROUND IRRIGATION
- 7 ▽ ▽ ▽
▽ ▽ ▽
- AREA TO RECEIVE BLUE GRASS + PESQUE SEED + STABILIZATION FABRIC
- AREA TO RECEIVE MULCH + UNDERGROUND IRRIGATION

LANDSCAPE SCHEDULE										
MARK	SCIENTIFIC NAME	HEIGHT	SPREAD	EXPOSURE		MIN SIZE	SPACING		COUNT (FIELD VERIFY)	NOTES
	COMMON NAME			SUN	SHADE		SCREEN	STREET		
(A)	DECIDUOUS TREE - AUTUMN PURPLE ASH FRAXINUS AMERICANA 'AUTUMN PURPLE'	65'-0"	25'-0"	X		8" GAL	-	-	2	VERIFY LOCATION NTH OWNER
(A)	NORTHERN RED OAK QUERCUS BOREALIS	30'-0"	40'-0"	X		5" GAL	-	-	8	VERIFY LOCATION NTH OWNER
(AC)	SHADENASTER NINEYLOCUST "SHADENASTER"	30'-0"	25'-0"	X	X	5" GAL	-	-	4	VERIFY LOCATION NTH OWNER
(B)	SYCAMORE PLATANUS OCCIDENTALIS	50'-0"	25'-0"	X		5" GAL	-	-	7	VERIFY LOCATION NTH OWNER
(C)	SHADELON SERVICEBERRY AMELANCHIER CANADENSIS	15'-0"	15'-0"	X	X	2 1/2" GAL	-	-	8	VERIFY LOCATION NTH OWNER
(D)	GRASS SPRING SNOW TREE MALUS SPRING SNOW	20'-0"	15'-0"	X	X	2 1/2" GAL	-	-	7	VERIFY LOCATION NTH OWNER
(E)	NOT USED									
(F)	NOT USED									
(G)	GOLDFLAME SPIREA SPIRAEA 'GOLDFLAME'	5'-0"	5'-0"	X	X	2 GAL	-	-	26	VERIFY LOCATION NTH OWNER
(H)	NOT USED									
(J)	NOT USED									
(K)	KNOCKOUT ROSE ROSA KNOCKOUT	4'-0"	4'-0"	X	X	2 GAL	-	-	80	VERIFY LOCATION NTH OWNER
(L)	STELLA D'ORO DAYLILY HEMISLOCAL 'STELLA D'ORO'	5'-0"	5'-0"	X	X	1 GAL			105	VERIFY LOCATION NTH OWNER

LOT 1 INFORMATION							
	LOT AREA	OCCUPANCY TYPE(S)	BUILDING AREA	BUILDING / LOT COVERAGE %	PARKING REQ/ACTUAL	ACCESSIBLE PARKING	REQ'D. PARKING
LOT 1	2.061 ACRES 90,909.72 S.F.	GENERAL RETAIL - M DAYCARE - E	12,250 S.F. 6,514 - DAYCARE 5,656 - RETAIL SHELL	18%	56/56	3	1,200 - GENERAL RETAIL 1 PER EMPLOYEE PLUS 1 PER 10 OF LICENSED CAPACITY DAYCARE

EXHIBIT 'A'



Meyer & Associates, Architects
1065 N 15th Street • Suite 200
Omaha, NE 68154
402.391.1823 (4)
402.391.5645 (4)

5832 Minorra Street • 2nd Floor
Shawnee, KS 66216
913.825.1306 (4)
913.825.1306 (4)

www.meyerarchitects.com

CONSTRUCTION DOCUMENTS FOR:

**SOUTHPORT
PLAZA**

LOT 1 SOUTHPORT EAST
HARRISON ST & EASTPORT PKWY
LA VISTA, NEBRASKA



Meyer & Associates, Architects • 2007

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REVISIONS:

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ISSUED:

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PROJECT NO.

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L1.1

ARCHITECTURAL LANDSCAPE PLAN