

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 5, 2019 AGENDA

Subject:	Type:	Submitted By:
3D SELF STORAGE – CUP AMENDMENT, LOT 1 OAKDALE PARK STORAGE (104 TH & HARRISON STREET)	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled and a resolution prepared for Council to consider an application to amend the Conditional Use Permit to allow for a self-service storage facility on Lot 1, Oakdale Park Storage, generally located at 104th and Harrison Street.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

A public hearing has been scheduled to consider an application submitted by 3D Self Storage – La Vista, LLC, to amend the Conditional Use Permit to allow for a self-service storage facility on Lot 1, Oakdale Park Storage. The property is zoned I-2 Heavy Industrial; a self-service storage facility is listed in the I-2 District as a conditional use. The applicant proposes to construct a 51,373 sq. ft. storage building to be located on the southwest corner of 104th and Harrison Street.

A detailed staff report is attached.

The Planning Commission held a public hearing on February 21, 2019, and voted 5-2 with one abstention to recommend approval of the Conditional Use Permit amendment, with a condition to amend Condition 2(m) to allow for annual reviews of the traffic patterns rather than just after the first year of operation, as the CUP request is consistent with the Comprehensive Plan and the Zoning Ordinance.

RESOLUTION NO. ____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN AMENDMENT TO A CONDITIONAL USE PERMIT FOR 3D SELF STORAGE – LA VISTA, LLC, TO OPERATE A SELF-SERVICE STORAGE FACILITY ON LOT 1, OAKDALE PARK STORAGE.

WHEREAS, 3D Self Storage – La Vista, LLC, has applied for approval of an amendment to their conditional use permit for a self-service storage facility on Lot 1, Oakdale Park Storage, located southwest of 104th Street and Harrison 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 amendment of the 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 an amendment to a Conditional Use Permit in form and content submitted at this meeting, with such modifications that the City Administrator or City Attorney may determine necessary or advisable, for 3D Self Storage – La Vista, LLC, to allow for a self-service storage facility on Lot 1, Oakdale Park Storage,

PASSED AND APPROVED THIS 5TH DAY OF MARCH, 2019.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk



CITY OF LA VISTA
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: PCUP-18-0004

FOR HEARING OF:

March 5, 2019

REPORT PREPARED ON: February 22, 2019

I. GENERAL INFORMATION

- A. **APPLICANT:** 3D Self Storage – La Vista, LLC
- B. **PROPERTY OWNER:** 3D Self Storage – La Vista LLC
- C. **LOCATION:** SW Corner of S. 104th and Harrison
- D. **LEGAL DESCRIPTION:** Lot 1 Oakdale Park Storage
- E. **REQUESTED ACTION(S):** Conditional Use Permit amendment to construct and operate a *self-service storage facility*.
- F. **EXISTING ZONING AND LAND USE:**
I-2 Heavy Industrial; The property is currently vacant.
- G. **PROPOSED USES:** The Conditional Use Permit (CUP) amendment will allow the applicant to construct and operate a *self-service storage facility*.
- H. **SIZE OF SITE:** 2.85 acres

II. BACKGROUND INFORMATION

- A. **EXISTING CONDITION OF SITE:** The topography of the property is relatively flat with a gradual slope to the south. The property is currently vacant.
- B. **GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**
 1. **North:** Applewood Heights; R-4 Single-Family Residential District
 2. **East:** Cimarron Woods; R-1 Single-Family Residential District
 3. **South:** Lot 28B Oakdale Park, Tax Lot 8A2; I-2 Heavy Industrial District
 4. **West:** Lot 2 Oakdale Park Storage; I-2 Heavy Industrial District
- C. **RELEVANT CASE HISTORY:**
The original CUP was approved by City Council on October 21, 2017.

D. APPLICABLE REGULATIONS:

1. Section 5.14 of the Zoning Regulations – I-2 Heavy Industrial District
2. Article 6 of the Zoning Regulations – Conditional Use Permits

III. ANALYSIS

A. COMPREHENSIVE PLAN:

1. The Future Land Use Map of the Comprehensive Plan currently designates this property for industrial uses.

B. OTHER PLANS: N/A

C. TRAFFIC AND ACCESS:

1. Ingress will be from a right-in/right-out on 104th Street. Egress design will require users of the facility to travel through a gate that would push traffic west, through Lot 2 (Colonial Press) to 107th Street after utilizing the facility. Office visitors will be able to exit back onto 104th Street.

The City has reserved the right through a condition within the Conditional Use Permit to review the traffic patterns annually and make adjustments as necessary.

2. The traffic impact statement provided for the original Conditional Use Permit concluded a maximum of 58 daily visits was expected with a peak demand of 8 visits per hour between 11:00am and 1:00pm on Saturdays.

Based on the amended plans, Olsson Associates provided a revised traffic impact analysis that states a maximum of 77 daily visits is expected with a peak demand of 20 visits per hour between 11:00am and 1:00pm on Saturdays with an expected average of 8 visits per hour during the rest of the week.

Staff concludes that the calculated increase does not have a significant impact and additional changes based on the traffic impact statement are not warranted.

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

E. PARKING REQUIREMENTS: The development includes a 1,380 square foot office. The site plan depicts 8 parking stalls, meeting the minimum parking requirements for the office area. Through a review of the traffic volumes, it was determined that adequate space was provided in the loading/unloading areas of the facility.

F. LANDSCAPING: Section 7.17 of the zoning ordinance requires the planting of 1 tree per 40 feet of street frontage and a landscaped area of 15' is required along all street frontages. Through the conditional use permit review process additional landscaping was required along the frontages to soften the visual impact of the facility.

Additionally, the applicant has oriented the facility as shown on the amended site plan in a way intended to conserve the existing tree mass on the southeast corner of the property.

IV. REVIEW COMMENTS:

1. The conditional use permit specifically requires the proposed use to be limited to the operations described within the Operational Statement (Exhibit B).
2. Conditions “2d” and “2e” of the conditional use permit specifically prohibit outdoor storage in conjunction with this use.
3. Condition “2g” of the conditional use permit requires the property to be developed and maintained in accordance with the site plan set and the landscaping plan. Due to concerns expressed at the Planning Commission public hearing on September 21, 2017 (during the original CUP approval process) condition “2h” was added to ensure the tree line along the south property line would be retained as much as possible. Due to storm water and development construction requirements, the tree line along the eastern edge of the property cannot be retained.
4. As per condition “2i” of the conditional use permit, exterior lighting, when used, shall enhance the building design and the adjoining landscape. Fixtures shall be of a design and size compatible with the building and adjacent areas. Lighting shall be restrained in design and excessive brightness avoided. Lighting shall be designed to a standard that does not impact adjoining properties. Due to concerns expressed at the Planning Commission public hearing on September 21, 2017 (during the original CUP approval process) a requirement was added for the Planning Department to review the lighting plan prior to building permit issuance.

V. STAFF RECOMMENDATION – CONDITIONAL USE PERMIT:

Staff recommends approval of the amendment to the Conditional Use Permit as the CUP request is consistent with the Comprehensive Plan and the Zoning Ordinance.

VII. PLANNING COMMISSION RECOMMENDATION – CUP:

The Planning Commission held a public hearing on February 21, 2019, and voted 5-2 with one abstention to recommend approval of the Conditional Use Permit amendment, with a condition to amend Condition “2(m)” to allow for annual reviews of the traffic patterns rather than just after the first year of operation, as the CUP request is consistent with the Comprehensive Plan and the Zoning Ordinance.

VIII. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Applicant's Operational Statement
3. Staff Review Letters
4. Draft CUP

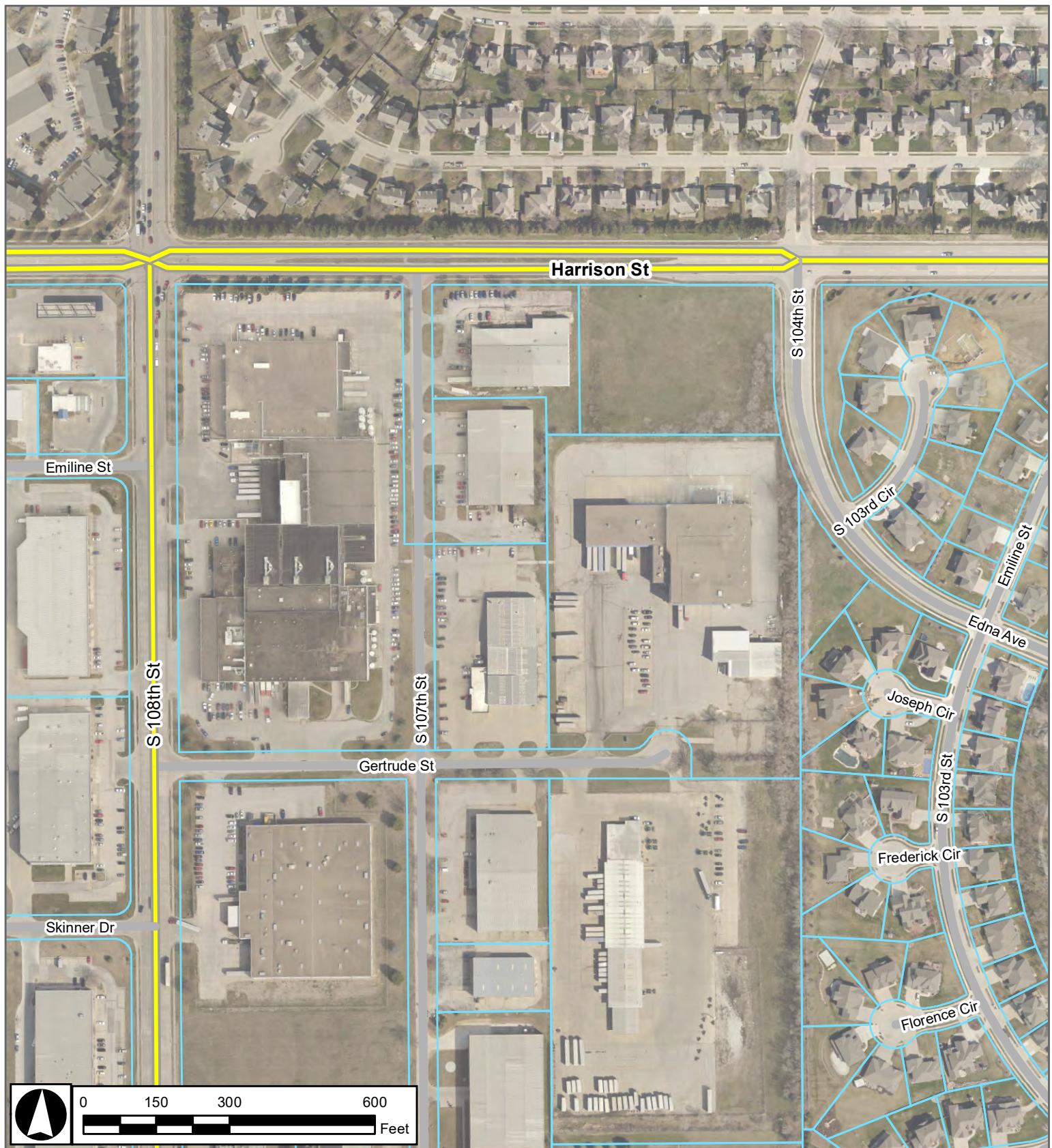
IX. COPIES OF REPORT TO:

1. Jeff Lake – 3D Self Storage – La Vista, LLC; Applicant
2. Aaron Wiese – Olsson Associates; Engineering Consultant
3. Public Upon Request

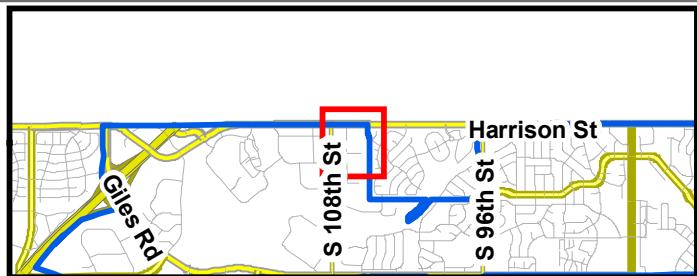


Prepared by _____
 2-25-19

Community Development Director Date



Project Vicinity Map



3D Storage CUP Amendment Lot 1 Oakdale Park Storage

2-12-2019

JMC



Exhibit “B”

Statement of Proposed Use

3D SELF STORAGE FACILITY

SW CORNER OF 104TH & HARRISON ST.
LOT 1, OAKDALE PARK STORAGE

General Purpose:

3D Self Storage Facility (Lot 1, Oakdale Park Storage) is a proposed climate controlled self-service storage facility offering indoor climate-controlled storage. No outside storage of materials, RV's, campers, boats, etc. will be allowed. The facility may own a moving truck for the use of its customers that would be parked on site when not in use. A small parking lot will serve the office function of the facility.

Services Offered:

The building is a three-story building (120,000SF +/-), with the following uses:

- First Floor (40,000 SF +/-)
 - Climate Controlled Storage
 - Office Space
- Second Floor (40,000 SF +/-)
 - Climate Controlled Storage
- Third Floor (40,000 SF +/-)
 - Climate Controlled Storage

Customer Base:

The facility's customer base will consist of clients who are seeking both temporary or long-term climate-controlled storage for personal or business storage purposes.

Hours of Operation (Secured Access with Individual Codes):

Monday-Sunday: 6:00 am to 10:00 pm

Office Hours

Monday-Friday: 8:00 am to 6:00 pm
Saturday-Sunday: 9:00 am to 5:00 pm

Employees:

The facility will employ 1-2 full-time and 1-2 part-time workers.

Vehicle Circulation:

The circulation for the facility will be designed to minimize the impact on the adjacent Cimarron Woods residential neighborhood. Customers will enter from 104th Street on the southeast corner of the property through a right in / right out access and exit on the northwest corner of the property through an egress easement across proposed Lot 2, Oakdale Park Storage (currently owned by Colonial Press). One-way signage will be utilized to encourage flow of customers to enter on the east side of the facility only and leave on the west side of the facility only. A covered canopy will be located on the North side of the facility and will provide customer access to the building for loading/unloading and should promote vehicles to exit to the egress easement. Also, a one-directional vehicular access gate arm has been added to the northwest corner of the site to restrict Colonial Press traffic from entering onto the 3D Self Storage Facility site. It is anticipated that a small percentage of vehicles will exit to 104th Street when visiting the office only and not utilizing the storage components of the facility, therefore, a one-way sign has been added to the median, within 104th Street, to direct traffic exiting onto 104th Street to turn right.

Lighting:

This facility will adhere to the City's lighting codes and will not have light spillage beyond the property lines.

December 18, 2018



Jeff Lake
Summit Development Company
P.O. Box 418
Elkhorn, NE 68022

RE: Conditional Use Permit Amendment – Initial Review
Lot 1 Oakdale Park Storage
3D Self Storage

Mr. Lake:

Thank you for your submittal of the 3D Self Storage Conditional Use Permit (CUP) application. Staff has reviewed the initial submittal and has provided the following initial comments:

1. Article 6.05.01: The location of fire hydrants are either blocked from travel or too far to meet regulations. A private fire hydrant is necessary.

Please add a line of the fragrant sumac, or similar shrub, at the crest of the mounding on the north side of the canopy area to screen the loading/offloading area.

2. Article 6.05.02: No comments were received regarding this article.
3. Article 6.05.03: The properties surrounding the proposed development on Lot 1 Oakdale Park Storage are already developed and therefore this use will not impede development of the surrounding property.
4. Article 6.05.04: Adequate utilities and drainage plans are being proposed. The revised plan will provide increased space for storm water management facilities.

5. Article 6.05.05: The applicant has submitted a proposal showing the intent for traffic coming to Lot 1 to enter from 104th Street and to exit to the west through Lot 2 to 107th Street. This traffic pattern is proposed to be accomplished by directional signage and the configuration of the facility. Staff recommends that more positive controls in the form of gates be utilized as were contained in the previous Conditional Use Permit plan. Also, there needs to be a One-Way sign added to the median facing the driveway so that someone that does leave from the driveway onto 104th Street is directed not to turn left. Subject to these recommendations staff does not object to the proposed driveway connection to 104th Street.

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8116 Park View Blvd.
La Vista, NE 68128-2198
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f: 402-331-4375

Community Development
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Fire
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f: 402-331-0410

Golf Course
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p: 402-339-9147

Library
9110 Giles Rd.
p: 402-537-3900
f: 402-537-3902

Police
7701 South 96th St.
p: 402-331-1582
f: 402-331-7210

Public Buildings & Grounds
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Public Works
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f: 402-331-1051

Recreation
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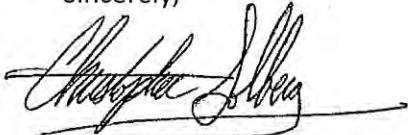
6. Articles 6.05.06-6.05.09: No comments were received regarding these articles.
7. Article 6.05.10: The proposed facility is now larger and has longer office hours on Saturday and Sunday than in the previous Conditional Use Permit. The applicant needs to update their estimates of expected daily and peak hour traffic volumes as a result of the proposed revisions.
8. Article 6.05.11: The development plan contains adequate facilities to address storm water runoff subject to detailed design review. As a reminder from prior reviews, there shall be no increase in peak runoff flows in the post-development as compared to the pre-development conditions for all storm events. Based on this being accomplished, I find the considerations in Article 6.05.11 to be addressed.
9. Site plan depicts the doors on the north side of the building, but do not depict the door on the east side of the building as shown in the building elevations.

A draft Conditional Use Permit (CUP) is attached for your review. It should be noted that this is just a draft of the CUP document, the City Attorney will review the draft prior to forwarding it on to City Council.

Please submit 4 full size copies (along with electronic copies) of the revised documents. A timeline for review by Planning Commission and City Council will be determined after review of the revised documents.

Should you have any questions please contact me at 402-593-6402 or csolberg@cityoflavista.org.

Sincerely,



Christopher Solberg, AICP
City Planner

Enclosure

Cc: Ann Birch, Community Development Director
John Kottmann, City Engineer
Aaron Wiese, Olsson Associates
File



December 26, 2018

Attn: Christopher Solberg, City Planner
La Vista Community Development Department
8116 Park View Blvd.
La Vista, NE 68128

cc: Jeff Lake, Developer
Ann Birch, Community Development Director
John Kottmann, City Engineer

**RE: 3D Self Storage CUP Application – Re-submittal
104th and Harrison Streets
Olsson Project No. 017-1520**

To whom it may concern,

The Developer and Olsson received Review Comments for 3D Self Storage dated 12/18/2018. Please accept this letter and the attached documents as our re-submittal for approval of the above-mentioned application.

1.0 Comment:

- Article 6.05.01: The location of fire hydrants are either blocked from travel or too far to meet regulations. A private fire hydrant is necessary.
- Please add a line of the fragrant sumac, or similar shrub, at the crest of the mounding on the north side of the canopy area to screen the loading/offloading area.

Response: ADDRESSED. Reference attached plan

- *A fire hydrant has been added north of the drive on the northeast corner of the proposed building.*
- *The landscaping plan has been modified to included vegetative screening north of the loading/offloading area in addition to the proposed berm.*

2.0 Comment:

Article 6.05.02: No comments were received regarding this article.

Response: NOTED

3.0 Comment:

- Article 6.05.03: The properties surrounding the proposed development on Lot 1 Oakdale Park Storage are already developed and therefore this use will not impede development of the surrounding property.

Response: NOTED

4.0 Comment:

- Article 6.05.04: Adequate utilities and drainage plans are being proposed. The revised plan will provide increased space for storm water management facilities.

Response: NOTED

5.0 Comment:

- Article 6.05.05: The applicant has submitted a proposal showing the intent for traffic coming to Lot 1 to enter from 104th Street and to exit to the west through Lot 2 to 107th Street. This traffic pattern is proposed to be accomplished by directional signage and the configuration of the facility. Staff recommends that more positive controls in the form of gates be utilized as were contained in the previous Conditional Use Permit plan. Also, there needs to be a One-Way sign added to the median facing the driveway so that someone that does leave from the driveway onto 104th Street is directed not to turn left. Subject to these recommendations staff does not object to the proposed driveway connection to 104th Street.

Response: ADDRESSED. Reference attached plan

- *One-directional vehicular access gate arm has been added to the northwest corner of the site to restrict Colonial Press traffic onto the Self-Storage facility. One-way directional signage is included on-site to guide internal vehicular traffic from 104th and exit through the Colonial Press site.*
- *A One-Way sign has been added to the median facing the driveway on 104th Street.*

6.0 Comment:

- Articles 6.05.06-6.05.06: No comments were received regarding these articles.

Response: NOTED

7.0 Comment:

- Article 6.05.10: The proposed facility is now larger and has longer office hours on Saturday and Sunday than in the previous Conditional Use Permit. The applicant needs to update their estimates of expected daily and peak hour traffic volumes as a result of the proposed revisions.

Response: ADDRESSED

- *The Traffic Volume Memo has been updated to reflect proposed revisions.*

8.0 Comment:

- Article 6.05.11: The development plan contains adequate facilities to address storm water runoff subject to detailed design review. As a reminder from prior reviews, there shall be no increase in peak runoff flows in the post-development as compared to the pre-development conditions for all storm events. Based on this being accomplished, I find the considerations in Article 6.05.11 to be addressed.

Response: NOTED

9.0 Comment:

- Site plan depicts the doors on the north side of the building, but do not depict the door on the east side of the building as shown in the building elevations.

Response: ADDRESSED

- *The doors on the east side of the building have been added to match building elevations. These are for pedestrian access only. The 'drive-thru' function is included in the revised plan.*

Thank you for your time and consideration. Please feel free to contact me if you have any questions, comments or require additional information. I can be reached at 402-341-1116.

Sincerely,

Lucas Weatherly

Encl.

January 3, 2019



Jeff Lake
Summit Development Company
P.O. Box 418
Elkhorn, NE 68022

RE: Conditional Use Permit Amendment – 2nd Review
Lot 1 Oakdale Park Storage
3D Self Storage

Mr. Lake:

Thank you for your submittal of the 3D Self Storage Conditional Use Permit (CUP) application. Staff has reviewed the initial submittal and has provided the following initial comments:

1. A directional gate has been added at the northwest corner of the site, along with directional signage. However, it remains possible that users of the facility may make a U-turn (or 3-point turn) on the north side of the building in the 40 feet wide pavement and go back to 104th Street rather than circulate through Oakdale Park. Please incorporate adjustments to the Conditional Use Permit that include the addition of a provision in the CUP that gives the City the right to review traffic patterns during the first full year of operations and require a second gate at the northeast building corner if customers are not regularly complying with the current exit path that leads to the west.
2. Staff has reviewed the changes proposed by Pansing Hogan Ernst & Bachman and are in general approval of the proposed changes. To reiterate, the City Attorney will review the draft prior to forwarding it on to City Council.

Please submit 14 full size copies (along with electronic copies) of the revised documents by noon on January 9th for inclusion in the Planning Commission packets.

The Planning Commission meeting will be held at 7pm in the City Council Chambers at La Vista City Hall on January 17th. Please have someone in attendance at the meeting to provide a presentation to the Planning Commission. A variety of media options are available for presentation purposes. Please let us know which media you plan to use.

Should you have any questions please contact me at 402-593-6402 or csolberg@cityoflavista.org.

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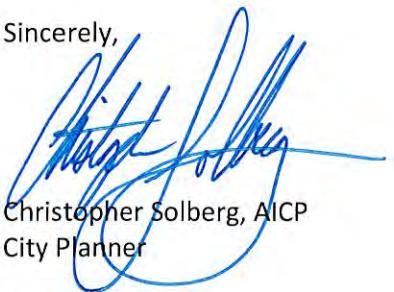
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8116 Park View Blvd.
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f: 402-331-0299

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info@cityoflavista.org

Sincerely,

A handwritten signature in blue ink, appearing to read "Christopher Solberg".

Christopher Solberg, AICP
City Planner

Enclosure

Cc: Ann Birch, Community Development Director
John Kottmann, City Engineer
Aaron Wiese, Olsson Associates
File



December 26, 2018

Attn: Christopher Solberg, City Planner
La Vista Community Development Department
8116 Park View Blvd.
La Vista, NE 68128

cc: Jeff Lake, Developer
Ann Birch, Community Development Director
John Kottmann, City Engineer

**RE: 3D Self Storage CUP Application – 2nd Review Re-submittal
104th and Harrison Streets
Olsson Project No. 017-1520**

To whom it may concern,

The Developer and Olsson received Review Comments for 3D Self Storage dated 01/03/2019. Please accept this letter and the attached documents as our re-submittal for approval of the above-mentioned application.

1.0 Comment:

- A directional gate has been added at the northwest corner of the site, along with directional signage. However, it remains possible that users of the facility may make a U-turn (or 3-point turn) on the north side of the building in the 40 feet wide pavement and go back to 104th Street rather than circulate through Oakdale Park. Please incorporate adjustments to the Conditional Use Permit that include the addition of a provision in the CUP that gives the City the right to review traffic patterns during the first full year of operations and require a second gate at the northeast building corner if customers are not regularly complying with the current exit path that leads to the west.

Response: ADDRESSED.

- *Language in the Conditional Use permit has been added to grant the City rights to require the Owner to install a second gate at the northeast corner of the building. Reference 2B in the conditional use permit.*

2.0 Comment:

- Staff has reviewed the changes proposed by Pansing Hogan Ernst & Bachman and are in general approval of the proposed changes. To reiterate, the City Attorney will review the draft prior to forwarding it on to City Council.

Response: NOTED.

Thank you for your time and consideration. Please feel free to contact me if you have any questions, comments or require additional information. I can be reached at 402-341-1116.

Sincerely,

Aaron Wiese

Encls.

December 26, 2018

Attn: John Kottmann, City Engineer
La Vista Public Works
9900 Portal Rd.
La Vista, NE 68128

3D Storage – La Vista Daily and Peak Hour Traffic Volumes

Olsson Associates originally submitted a Preliminary Plat and Conditional Use Permit for the 3D Self Storage facility in La Vista on July 3rd, 2017. A memo was prepared by Olsson (dated August 7th, 2017) showing the anticipated traffic volumes. The Preliminary Plat and Conditional Use Permit were eventually approved by Planning and City Council. An amendment to the Conditional Use Permit was submitted on December 3rd, 2018 with some revisions to the size of the building. An additional comment from the City of La Vista on December 18th, 2018 requested and update to the previous Peak Hour Traffic Volumes with respect to the amended plan.

Below is an updated brief memo of the anticipated traffic volumes for the 3D Self Storage project in La Vista on the southwest corner of 104th and Harrison Streets.

It is anticipated the proposed storage facility will generate a maximum of 77 daily visits to the facility upon full buildout. This value is based upon actual usage date gathered in 2017 during the months of May, June, and July from the existing Elkhorn 3D Storage facility near 210th Street & Cumberland Drive. The daily visits have been calibrated on a leasable climate-controlled square footage basis. The La Vista facility consists of climate-controlled storage that is 46% larger than then Elkhorn Facility. The months of May thru July were selected as they are typically the busiest months of the year. At the time of the data gathering, the Elkhorn 3D Storage facility was in 'lease up mode', which typically yields higher daily visits than when fully stabilized. As such, we'd expect the calibrated visits to the La Vista 3D Storage Facility to drop well below the maximum 77 daily visits to the facility once stabilized. We've provided what we believe to be the highest value for daily visits.

Proposed hourly peak demand for the facility has also been based upon data from the Elkhorn 3D Storage facility. We are still expecting a maximum demand of around 20 visits over a 2-hour period, which is anticipated to occur from 11:00am to 1:00pm on Saturdays. Existing data suggests we don't expect more than 8 visits in any give hour during the rest of the week. We also feel the hourly peak visits will drop off much like the daily visits once the facility is fully stabilized.

Attached are traffic counts and an hourly activity chart for 3D Self Storage – Elkhorn.

Sincerely,



Lucas Weatherly, PE
Encl.

Traffic Counts for 3D Self Storage – Elkhorn

Data from May, June, July 2017

Site Activity (Non-Office)

- 1571 Direct entrances from front (NE Door) during three-month period
 - 16.85 Entrances per day average
- 3195 Gate Entrances during three-month period
 - 35.5 Entrances per day average

Total = 52.35 per day average x 1.46 = 76.43 or 77 per day average for the La Vista Self Storage Facility

Elkhorn 3D Storage = 82,152 SF

La Vista Self Storage = 120,000 SF => 37,848 SF or 46% larger than Elkhorn 3D Storage

Office Activity (New business)

- 257 Customers in Office during three-month period
 - 2.85 Customers per day

Sunday is .42 customers per day average

Monday is .45 customers per day average

Tuesday is .32 customers per day average

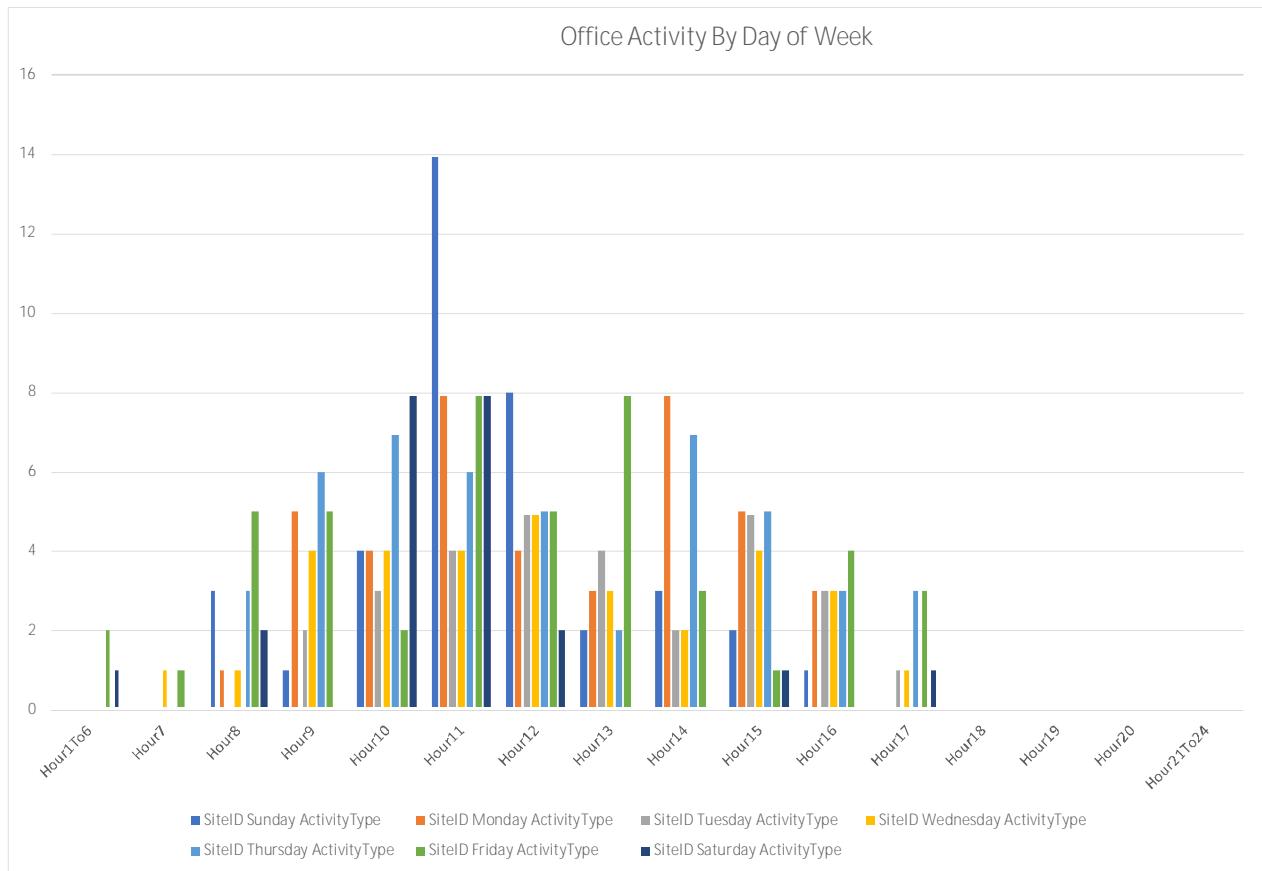
Wednesday is .35 customers per day average

Thursday is .52 customers per day average

Friday is .52 customers per day average

Saturday is .25 customers per day average

Chart attached shows office activity by the hour of day.







City of La Vista Conditional Use Permit

Conditional Use Permit for Self-Storage Facility

| This Conditional Use Permit issued this 17th day of October, 2017, 2019, by the City of
| La Vista, a municipal corporation in the County of Sarpy County, Nebraska ("City") to, 3D Self Storage – La
| Vista, LLC, a Nebraska limited liability company ("Owner"), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner wishes to construct and operate a self-storage facility upon the following described tract of land within the City of La Vista zoning jurisdiction:

Lot 1, Oakdale Park Storage, a subdivision as surveyed, platted and recorded in the City of La Vista, Sarpy County, Nebraska.

WHEREAS, Owner has applied for a conditional use permit for the purpose of operating a self-storage facility based upon the criteria prescribed in the La Vista Zoning Ordinance; 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 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 a self-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 shall run with the land and are transferable and any transferee shall be bound to perform this permit the same as the original Owner. Any deviation from any terms of this permit without prior consent of the City, or breach of any terms of this permit, shall cause the permit to expire and terminate, subject to any Cure Right pursuant to Section 3.
2. In respect to the proposed Use:
 - a. The use shall be limited to the type of operation as described in the applicant's Operational Statement (Exhibit "B") and staff report. Any change in the operational characteristics including, but not limited to, expansion of the hours of operation and additional services provided, shall require review by the Planning Department and may require an amendment to the Conditional Use Permit, subject to either City Planner or Planning Commission and City Council approval, depending on the nature of the proposed change.
 - b. A site plan set showing the property boundaries of the tract of land, proposed structures, parking, access points, and drives shall be provided to the City and attached to the permit as "Exhibit C".
 - c. The hours of operation will not extend beyond 6:00am to 10:00pm, Monday-Sunday. Office hours shall be limited to 8:00 am to 6:00 pm Monday-Friday and 9:00 am to 5:00 pm Saturday-Sunday.
 - d. There shall not be any outside storage of automobiles, trucks, boats, recreational vehicles, or the like other than one (1) business owned convenience truck for customer use, substantially of a size and type shown in Exhibit F ("Convenience Vehicle"). The Convenience Vehicle shall be maintained in good

and working repair and condition and when on the site shall be parked in a stall of the designated parking area depicted in Exhibit F.

- e. There shall be no storage, placement or display of any personal property, goods, supplies or any other material, substance, container or receptacle outside of the facility, except trash receptacles. All trash dumpsters shall be properly screened with a six-foot enclosure and gated with materials similar to the building construction. Such enclosure shall obtain approval of the City Planner.
- f. There shall not be any storage or sale of explosives or hazardous materials.
- g. The premises shall be developed and maintained in accordance with the site plan set (Exhibit C), landscaping plan, (Exhibit D) as approved by the City and incorporated herein by this reference. Any modifications must be submitted to the Chief Building Official for approval. The elevations in Exhibit E illustrate the appearance of the facility.
- h. To the greatest extent possible, the existing tree line along the southern and eastern property line shall be retained. At the time of building permit submittal, detailed plans depicting which trees will remain post-construction, shall be submitted for review and approval to the satisfaction of the City Planner.
- i. Exterior lighting, when used, shall enhance the building design and the adjoining landscape. Fixtures shall be of a design and size compatible with the building and adjacent areas. Lighting shall be restrained in design and excessive brightness avoided. Lighting shall be designed to a standard that does not impact adjoining properties. A lighting plan shall be reviewed and approved by the Planning Department prior to issuance of a building permit.
- j. 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, FAA and ADA.
- k. 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.
- l. 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.
- m. The site plan (Exhibit C) provides for a directional gate at the northwest corner of the project. The City shall have the right to review traffic patterns during the first full year of operation of the storage facility annually to review traffic patterns and if the City determines that storage facility users are not regularly complying with the exit path to the west as shown on the site plan (Exhibit C), the City may require Owner to install a second gate at the northeast corner of the building. Subject to weather and force majeure conditions, Owner shall complete installation of the second gate not later than ninety (90) days following Owner's receipt of notice of such requirement from the City.

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, if the violation continues after written notice from the City to Owner and a reasonable time for Owner to cure such violation, which cure period shall be thirty (30) days, subject to possible extension if the City Engineer determines that cure is not reasonably possible within thirty (30) days ("Cure Right").
- b. The use authorized by the conditional use permit must be initiated within one (1) year of approval, subject to possible administrative extension in accordance with the City's zoning ordinance, 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.

Miscellaneous

1. The conditions and terms of this permit shall be binding upon Owner, its successors and assigns.
2. Delay of City to terminate this permit or to deliver notice 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.
3. 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.
4. 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: William J. Douglas
3D Self Storage – La Vista, LLC
PO Box 418
Elkhorn, NE 68022

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:

Pam 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: 3D SELF STORAGE - LA VISTA, LLC

By: _____

Title: _____

Date: _____

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA)
) ss.
COUNTY OF _____)

On this _____ day of _____, 20172019, 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 _____)

Notary Public

Exhibit “B”

Statement of Proposed Use

3D SELF STORAGE FACILITY

SW CORNER OF 104TH & HARRISON ST.
LOT 1, OAKDALE PARK STORAGE

General Purpose:

3D Self Storage Facility (Lot 1, Oakdale Park Storage) is a proposed climate controlled self-service storage facility offering indoor climate-controlled storage. No outside storage of materials, RV's, campers, boats, etc. will be allowed. The facility may own a moving truck for the use of its customers that would be parked on site when not in use. A small parking lot will serve the office function of the facility.

Services Offered:

The building is a three-story building (120,000SF +/-), with the following uses:

- First Floor (40,000 SF +/-)
 - Climate Controlled Storage
 - Office Space
- Second Floor (40,000 SF +/-)
 - Climate Controlled Storage
- Third Floor (40,000 SF +/-)
 - Climate Controlled Storage

Customer Base:

The facility's customer base will consist of clients who are seeking both temporary or long-term climate-controlled storage for personal or business storage purposes.

Hours of Operation (Secured Access with Individual Codes):

Monday-Sunday: 6:00 am to 10:00 pm

Office Hours

Monday-Friday: 8:00 am to 6:00 pm
Saturday-Sunday: 9:00 am to 5:00 pm

Employees:


The facility will employ 1-2 full-time and 1-2 part-time workers.

Vehicle Circulation:

The circulation for the facility will be designed to minimize the impact on the adjacent Cimarron Woods residential neighborhood. Customers will enter from 104th Street on the southeast corner of the property through a right in / right out access and exit on the northwest corner of the property through an egress easement across proposed Lot 2, Oakdale Park Storage (currently owned by Colonial Press). One-way signage will be utilized to encourage flow of customers to enter on the east side of the facility only and leave on the west side of the facility only. A covered canopy will be located on the North side of the facility and will provide customer access to the building for loading/unloading and should promote vehicles to exit to the egress easement. Also, a one-directional vehicular access gate arm has been added to the northwest corner of the site to restrict Colonial Press traffic from entering onto the 3D Self Storage Facility site. It is anticipated that a small percentage of vehicles will exit to 104th Street when visiting the office only and not utilizing the storage components of the facility, therefore, a one-way sign has been added to the median, within 104th Street, to direct traffic exiting onto 104th Street to turn right.

Lighting:

This facility will adhere to the City's lighting codes and will not have light spillage beyond the property lines.






Exhibit 'C-2'

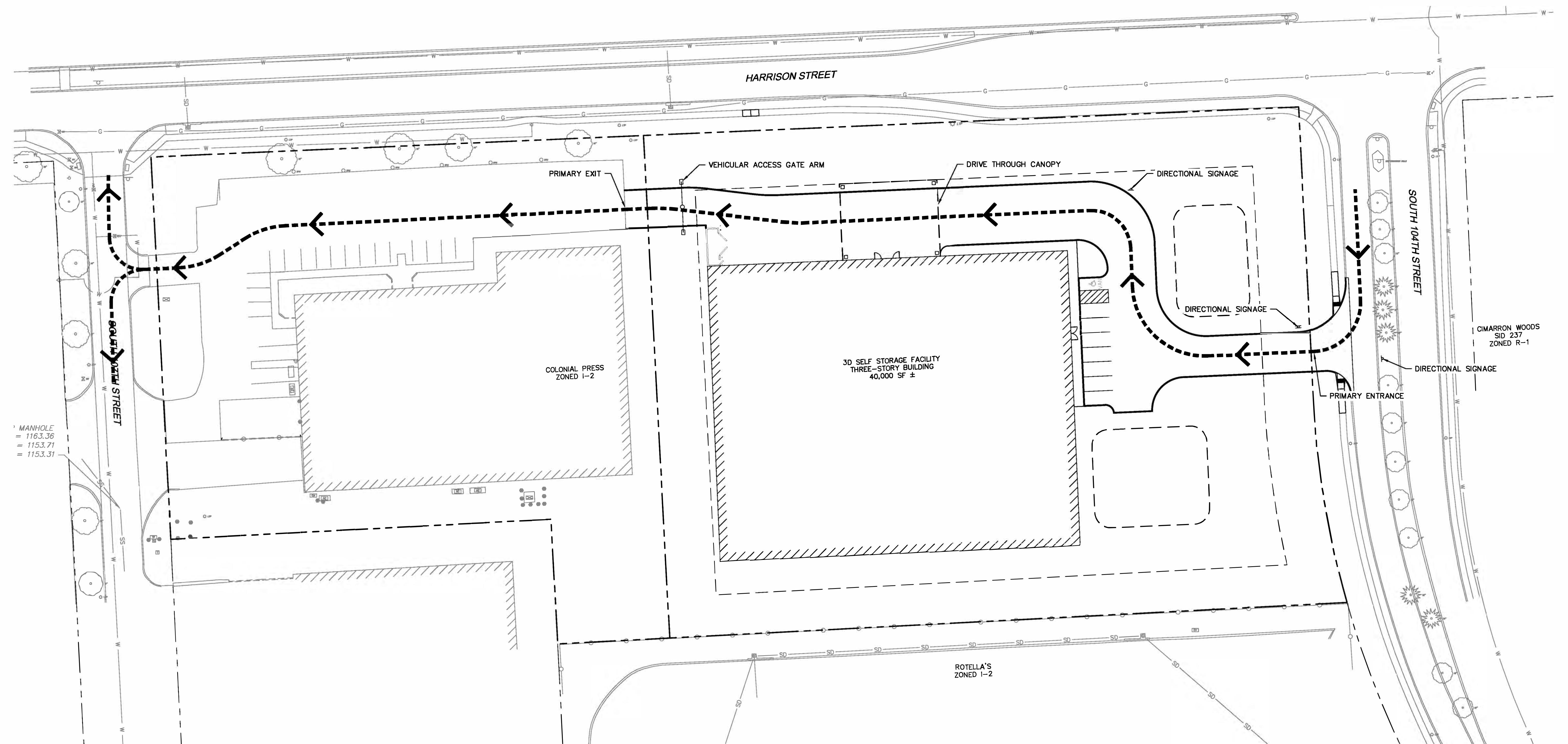


Exhibit 'C-3'

CIRCULATION PLAN

REVISIONS DESCRIPTION

2018

SHEET
C1.3

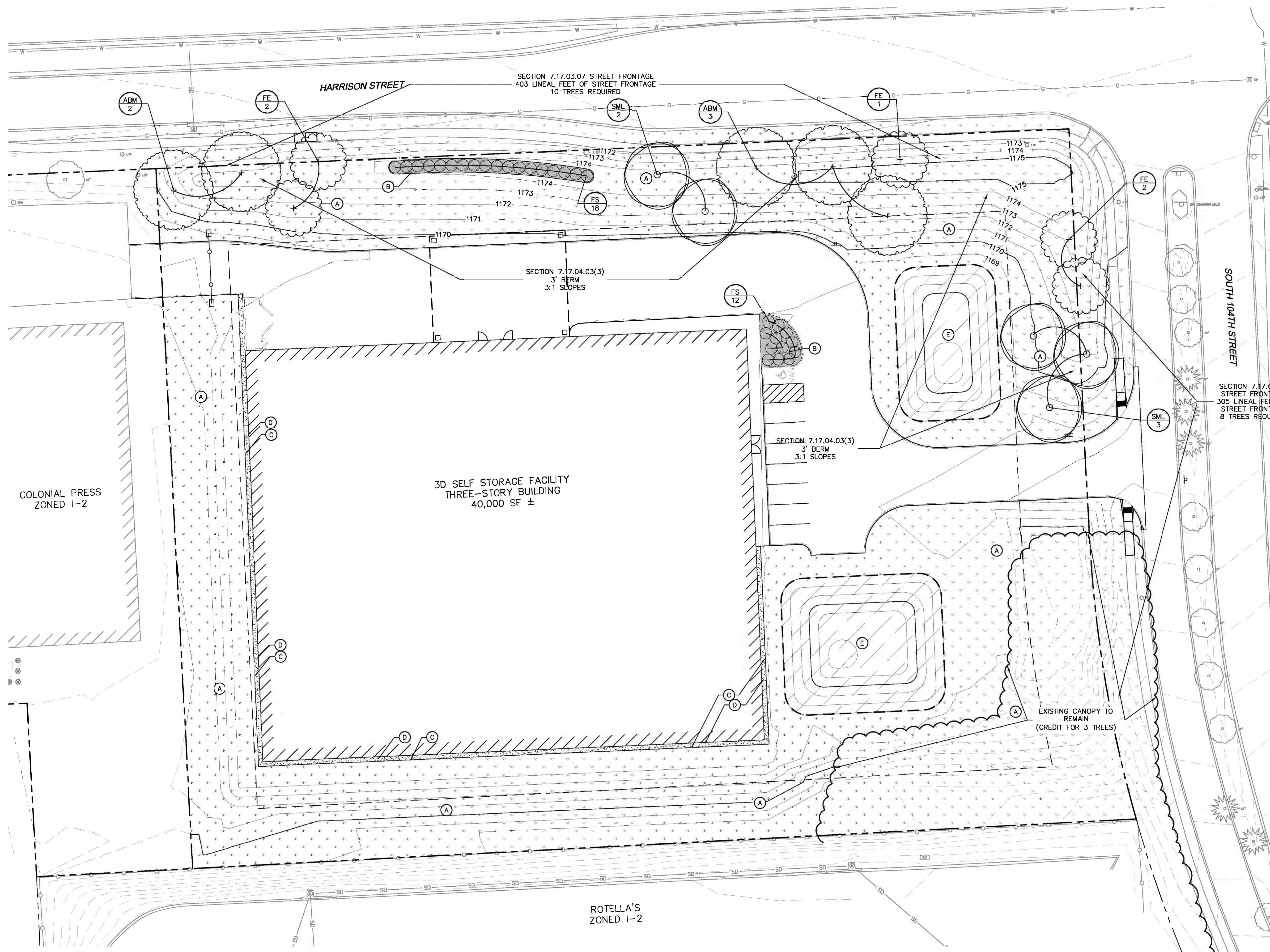
3D SELF STORAGE FACILITY
CONDITIONAL USE PERMIT

LAVISTA, NE

drawn by: J.E.
 checked by: A.L.W.
 QC/CC by: L.R.W.
 project no: 017-1520
 drawing no: 12-28-18
 date: 12-28-18

olsson

2111 South 67th Street, Suite 200
 Omaha, NE 68106
 TEL: 402-341-1116
 FAX: 402-341-5895
 www.olsson.com



PLANT SCHEDULE

KEY	QTY.	BOTANICAL NAME	COMMON NAME	PLANTING METHOD	SIZE @ PLANTING	SPACING	MATURE SPREAD	MATURE HEIGHT	REMARKS
OVERSTORY DECIDUOUS TREES									
ABM	5	ACER RUBRUM 'AUTUMN BLAZE'	AUTUMN BLAZE MAPLE	B&B	2" CAL	AS SHOWN	35'	45'	
SML	5	GLEDTISIA TRIACANTHOS INERMIS 'SHADEMASTER'	SHADEMASTER HONEYLOCUST	B&B	2" CAL	AS SHOWN	35'	50'	
FE	5	ULMUS FRONTIER	FRONTIER ELM	B&B	2" CAL	AS SHOWN	20'	30'	
DECIDUOUS SHRUBS									
FS	30	RHUS AROMATICA 'GRO LOW'	FRAGRANT SUMAC	CONT.	#3	60" O.C.	5'	3'	

LANDSCAPE KEY NOTES	
Ⓐ	INSTALL TURF-TYPE FESCUE SOD. TO BE IRRIGATED
Ⓑ	HARDWOOD MULCH
Ⓒ	CULTIVATED LANDSCAPE EDGE
Ⓓ	WASHED RIVER ROCK OVER LANDSCAPE FABRIC
Ⓔ	RAINGARDEN SEED MIX

NOTES:
 1. ALL TURF-TYPE FESCUE TO BE IRRIGATED BY APPROPRIATELY SIZED SPRAY HEAD AND PATTERN.
 2. LANDSCAPING CONTRACTOR TO PROVIDE GUARANTEE OF AT LEAST ONE YEAR.

Exhibit 'D'

REVISIONS DESCRIPTION	REV. NO.	DATE
3D SELF STORAGE FACILITY CONDITIONAL USE PERMIT LAVISTA, NE	2018	

drawn by: JE
 checked by: ALW
 QC/C: LKW
 project no: 017-1520
 drawing no: 122818
 date: 12-28-18

SHEET
L1.0