

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
DECEMBER 3, 2019 AGENDA

Subject:	Type:	Submitted By:
NEBRASKA MULTI-SPORT COMPLEX – CUP PRIVATE RECREATIONAL FACILITY	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CALE BRODERSEN ASSISTANT PLANNER

SYNOPSIS

A public hearing has been scheduled and a resolution prepared for Council to consider an application for a Conditional Use Permit to allow for a temporary Private Recreational Facility on the Nebraska Multi-Sport Complex property located on All of Tax Lot 2A & Pt of Tax Lots 2B1 & 3 Lying N & W of Railroad ROW 17-14-12, generally located east of the intersection of Southport Parkway and Eastport Parkway. The CUP request would allow for the operation of a tennis dome for a period of three years, with the intention of initiating further investment in, and development of the overall Nebraska Multi-Sport Complex development.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

A public hearing has been scheduled to consider an application for a Conditional Use Permit submitted by Nebraska Multi-Sport Complex to allow for a temporary Private Recreational Facility for a dome to be used for indoor tennis courts during the months of September through April on their property located east of the intersection of Southport Parkway and Eastport Parkway. The property is zoned TA - Transitional Agriculture, which requires a Conditional Use Permit to operate a Private Recreational Facility. The intention of the proposed temporary tennis dome is to spark future investment in, and development of the overall Nebraska Multi-Sport Complex development. The Conditional Use Permit would expire after a period of three years, at which point the dome and any site improvements will be required to be removed from the property (unless the site improvements other than the dome are to be utilized as part of approved future phases of the development). A performance bond in the amount of \$250,000 will be required prior to issuance of building permits to ensure that the dome structure and site improvements are removed upon expiration of the permit.

A staff report, detailing additional conditions within the CUP, is attached.

The Planning Commission held a public hearing on November 21, 2019 and voted unanimously to recommend approval of the Conditional Use Permit, as the CUP request is consistent with the Comprehensive Plan and the Zoning Ordinance.

K:\APPS\City Hall\CNCLRPT (Blue Letters)\19file\19 CD CUP - NMSC 12.03.2019.Docx

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 NEBRASKA MULTI-SPORT COMPLEX TO OPERATE A PRIVATE RECREATIONAL FACILITY ON ALL OF TAX LOT 2A & PT OF TAX LOTS 2B1 & 3 LYING N & W OF RAILROAD ROW 17-14-12.

WHEREAS, Nebraska Multi-Sport Complex has applied for approval of a Conditional Use Permit for a Private Recreational Facility located east of the intersection of Southport Parkway and Eastport Parkway; and

WHEREAS, the Planning Commission held a public hearing on November 21, 2019, and has recommended approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to 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 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 Nebraska Multi-Sport Complex to allow for a Private Recreational Facility on the property located on All of Tax Lot 2A & Pt of Tax Lots 2B1 & 3 Lying N & W of Railroad Row 17-14-12.

PASSED AND APPROVED THIS 3RD DAY OF DECEMBER, 2019.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



CITY OF LA VISTA
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: PCUP 19-0005

FOR HEARING OF: December 3, 2019
Report Prepared on: November 22, 2019

I. GENERAL INFORMATION

A. APPLICANT:

Nebraska Multi-Sport Complex
13808 F Street
Omaha, NE 68137

B. PROPERTY OWNERS:

Omaha Multi-Sport Complex DBA Nebraska Multi-Sport Complex
13808 F Street
Omaha, NE 68137

C. LOCATION: East of the intersection of Southport Parkway and Eastport Parkway.

D. LEGAL DESCRIPTION: All of Tax Lot 2A & Pt Of Tax Lots 2N1 & 3 Lying N & W Of Railroad ROW 17-14-12.

E. REQUESTED ACTION(S): Conditional Use Permit to allow for a temporary indoor recreational facility.

F. EXISTING ZONING AND LAND USE:

TA – Transitional Agriculture; The lot is currently vacant.

G. PURPOSE OF REQUEST:

1. To allow for indoor tennis courts, in a tennis dome, on the Nebraska Multi-Sport Complex property.

H. SIZE OF SITE: 60.96 Acres

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE: The lot has a gradual downward slope to the southeast. The 60.96 acre property is currently vacant and is surrounded by a 33.65 acre property to the north and a 61.73 acre property to the south, both also currently vacant and owned by Omaha Multi-Sport Complex.

B. GENERAL NEIGHBORHOOD/AREA ZONING AND LAND USES:

1. **North:** Omaha Multi-Sport Complex, TA Transitional Agriculture District.
2. **East:** Harrison Hills; I-1 Light Industrial District.
3. **South:** Omaha Multi-Sport Complex; TA Transitional Agriculture District.

4. **West:** Southport East; C-3 Highway Commercial/Office Park District.

C. RELEVANT CASE HISTORY:

Nebraska Multi-Sport Complex is a 501(c)(3) nonprofit organization founded in 2012 that plans to build an enclosed center with a natatorium, tennis center, fieldhouse, and outdoor regulation playing fields on a 184-acre site in La Vista that they acquired in 2015. Nebraska Multi-Sport Complex intends to focus primarily on swimming, soccer, and tennis.

D. APPLICABLE REGULATIONS:

1. Zoning Ordinance Section 5.05 TA – Transitional Agriculture District.
2. Zoning Ordinance Article 6 – Conditional Use Permits.
3. Zoning Ordinance Article 5.17 - Gateway Corridor District (Overlay District)

III. ANALYSIS

A. COMPREHENSIVE PLAN: The Future Land Use Map of the Comprehensive Plan currently designates this property for Parks and Recreation uses.

B. OTHER PLANS: This tennis dome is being proposed as a short-term solution for programming and to "activate" the site and future phases of development, as noted in the attached Statement of Operation. The site is anticipated to have additional permanent construction starting in 2020 (soccer fields and related infrastructure), and the the current plan is to replace the dome in with a permanent indoor tennis building once fundraising is complete.

C. TRAFFIC AND ACCESS:

1. Access will be from egress/ingress point along Eastport Parkway.
2. Based on the traffic-impacting details provided in the Operating Statement, the City Engineer finds that a traffic impact study will not be required.

D. UTILITIES:

1. All utilities are available to the site.

E. PARKING REQUIREMENTS:

1. The applicant has indicated that the maximum number of building occupants during peak time shall be 30 people, which would require a minimum of 8 parking spaces per the La Vista Zoning Ordinance (1 space per 4 persons the facility is intended to accommodate, for Recreational Facilities). The applicant has proposed a crushed rock parking area with 38 spaces, and 2 paved ADA spaces, to serve the indoor recreational facility. This amount of

provided parking is sufficient to meet the anticipated demand.

IV. REVIEW COMMENTS:

1. This private recreational facility CUP application is proposed as a temporary use intended to commence activities at the proposed Nebraska Multi-Sport Complex location and draw additional interest in future phases of the overall development.
2. The applicant's long-term intention is to replace the temporary dome structure with a permanent structure to house tennis activities during a future phase of the overall development.
3. An expiration date of 3 years has been added to the Conditional Use Permit to ensure that the tennis dome facility is a temporary use and is not utilized past its useful life.
4. A performance bond in the amount of \$250,000 shall be required to ensure that the structure and site improvements will be removed upon expiration of the Conditional Use Permit, unless the site improvements (outside of the dome itself) are to be utilized for approved future phases of the Nebraska Multi-Sport Complex development. Provision of this performance bond will be required prior to issuance of building permit.
5. Approval and related permits must be obtained from the Papillion Fire Marshal and Chief Building Official prior to building occupation.
6. As a recreational facility, this structure is not required to follow the Design Guidelines under La Vista's current Gateway Corridor District regulations.
7. A Nebraska Multi-Sport Complex staff member will need to be present on-site during all operating hours for purposes of safety and site security.
8. The on-site portable restroom trailer must be open during all operating hours and kept in clean, operating condition.
9. During the summer months the dome structure will be removed to allow for outdoor tennis courts.

V. STAFF RECOMMENDATION – Conditional Use Permit:

Staff recommends approval of the Conditional Use Permit for a period of three years as the CUP request is consistent with the Comprehensive Plan and the Zoning Ordinance.

VI. PLANNING COMMISSION RECOMMENDATION:

The Planning Commission held a public hearing on November 21, 2019 and unanimously voted to recommend approval of the proposed Conditional Use Permit as the CUP request is consistent with the Comprehensive Plan and the Zoning Ordinance.

VII. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Draft CUP
3. Statement of Operation
4. Site Plan

VIII. COPIES OF REPORT SENT TO:

1. Mike Cassling, Nebraska Multi-Sport Complex
2. Jay Palu, Alley Poyner Macchietto Architecture
3. Public Upon Request.

Cale Brodure

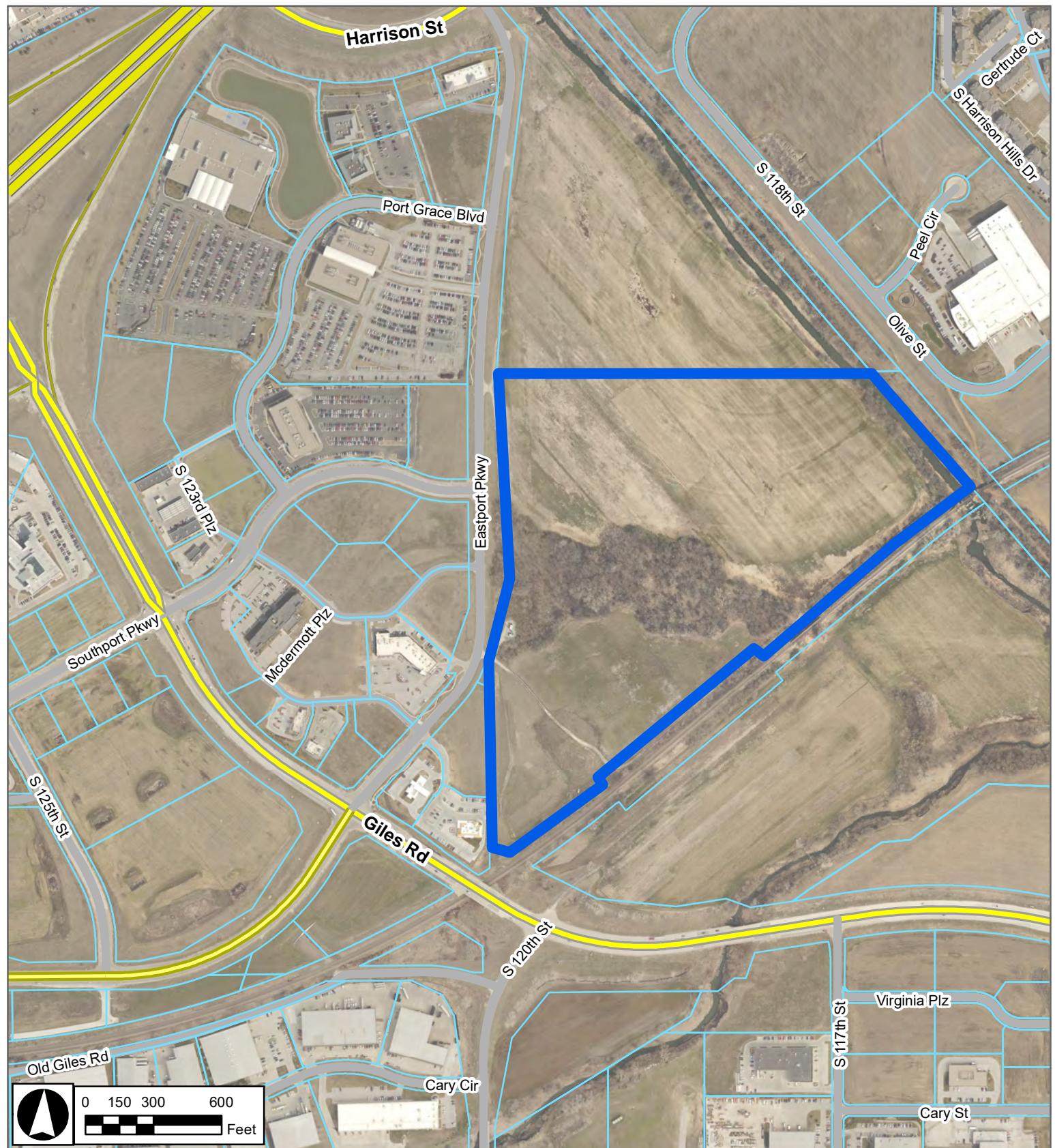
Prepared by: Assistant Planner

Bree J. Johnson

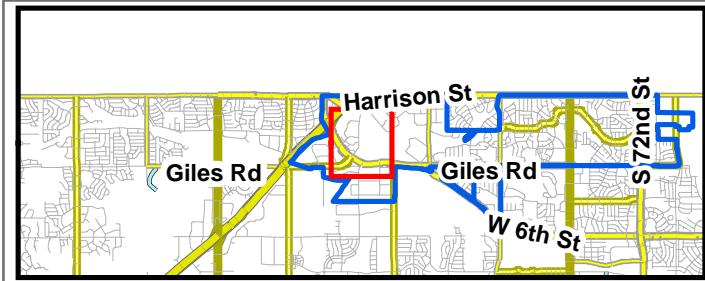
Community Development Director

11/20/19

Date



Project Vicinity Map



Conditional Use Permit - Tennis Dome Nebraska Multi-Sport Complex

11/13/2019

CB



**City of La Vista
Conditional Use Permit**

Conditional Use Permit for Private Recreational Facility

This Conditional Use Permit issued this 17th day of December 2019, by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska (“City”) to Nebraska Multi-Sport Complex, (“Owner”), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner wishes to locate and operate a temporary private recreational facility upon the following described tract of land within the City of La Vista zoning jurisdiction:

All of Tax Lot 2A & Part of Tax Lots 2B1 & 3, Lying N & W of Railroad Row
17-14-12

WHEREAS, Owner has applied for a conditional use permit for the purpose of locating and operating a temporary private 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 “B” hereto for a private 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. Breach of any terms hereof shall cause permit to automatically expire and terminate without any further action required of the City.
2. In respect to the Permitted Use:
 - a. The use shall be limited to the type of operation as described in the Owner’s Operational Statement (Exhibit “A”) and in the City staff report presented with the Council agenda item to consider this permit. Any proposed change in the Permitted Use or operational characteristics including, but not limited to, the hours of operation or additional or different activities or intensity of activities on the property, shall require such reviews, amendments to the Conditional Use Permit, and approvals as the Planning Department in its sole discretion determines necessary or appropriate.
 - b. 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, subject to approval of the Planning Department or City Engineer, and attached to the permit as “Exhibit B”.
 - c. Hours of operation for said temporary private recreational facility will be Monday through Friday from 4:00 p.m. – 10:00 p.m.; and Saturday and Sunday from 8:00 a.m. – 10:00 p.m.
 - d. The maximum number of occupants allowed in the space at any given time will be 30.
 - e. 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 surrounding businesses, or negatively impacting traffic or traffic flows on, in or around the Property or streets. The provided off-street parking shall be

consistent with the site plan attached as "Exhibit B," which parking Owner has represented to City is in accordance with City requirements and sufficient for the Permitted Use. Additional off-street parking on the property will be required if deemed necessary by the Planning Department, and the Owner at its cost shall be solely responsible for obtaining use of or constructing any such additional off-street parking. The requirements, location and other specifications of any additional off-street parking shall be subject to Planning Department or City Engineer approval. On street parking on Eastport Parkway or Southport Parkway, or otherwise in connection with the Permitted Use shall be prohibited.

- f. There shall be no storage, placement or display of goods, supplies or any other material, substance, container or receptacle outside of the temporary private, indoor recreational facility, except appropriately screened trash receptacles, approved temporary restroom facilities, and those approved in writing by the City.
- g. There shall not be any games, tournaments, or other events that draw a larger spectator crowd than typical training or camp activities or that would result in the maximum number of occupants in subsection 2d above being exceeded.
- h. Owner shall ensure that restroom facilities are provided and available during all operating hours, and that such restroom facilities are kept in good, cleanly, and operating condition.
- i. A Nebraska Multi-Sport Complex staff member must be present on-site during all hours of operation.
- 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, 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 laws, rules, or 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 and all officials, officers, employees, and agents of the City ("Indemnified Parties") against, and holds the Indemnified Parties 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, or Owner's 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 Owner'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; or more frequent inspection upon any complaint to the City. The conditional use permit may be revoked upon a finding by the City that there is a violation of the terms of approval or this permit.
 - b. The use authorized by the conditional use permit must be initiated within one (1) year 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.
 - d. This conditional use permit, and all rights granted hereby, shall expire and terminate as to a permitted use three (3) years after the date of issuance.
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. Three (3) years pass from the date of issuance of this Conditional Use Permit.
 - b. Owner's abandonment of the permitted use. Non-use thereof for a period of twelve (12) months shall constitute a presumption of abandonment.
 - c. Cancellation, revocation, denial or failure to maintain any federal, state or local permit required for the Use.
 - d. Owner's breach of any other terms hereof.

5. Upon expiration or termination of this permit, the Owner shall promptly remove all permitted materials and site improvements from the site including, but not limited to, the tennis dome, portable restrooms, parking lot lighting, slab, and access driveway, unless the site improvements other than the dome structure itself are tied to future phases of development that have been approved by the City by the expiration date of this Conditional Use Permit.
6. Prior to the issuance of a building permit, a performance bond shall be provided to the City in the amount of \$250,000 to ensure that all structures and site improvements will be removed upon expiration of this Conditional Use Permit, if the site improvements are not tied into approved future phases of the development.
7. 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.
8. 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: Nebraska Multi-Sport Complex
Attn: Mike Cassling
13808 F Street
Omaha, NE 68137
(402) 991-2561

4. The City staff report presented with the Council agenda item to consider this permit, and all recitals and Exhibits of this permit, shall be incorporated into this permit by reference.

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: _____

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA)
) ss.
COUNTY OF _____)

On this _____ day of _____, 2019, 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 _____, 2019, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared Mike Cassling, personally known by me to be the Chairman of the Nebraska Multi-Sport Complex Board of Directors, 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



STATEMENT OF OPERATION

October 7, 2019

RE: Conditional Use Permit
Nebraska Multi-Sport Complex
13808 F Street
Omaha, NE 68137

It is the intent of the Nebraska Multi-Sport Complex to obtain a Conditional Use Permit to allow the construction of a tennis facility near the southeast corner of Southport Parkway and Eastport Parkway, as part of the larger Nebraska Multi-Sport Complex (NMSC).

The proposed tennis facility will consist of a concrete slab-on-grade, with a removable dome fixed to the concrete, along with a rock parking area, concrete paved driveway, and portable restroom facilities.

The facility will operate approximately between the hours of 4:00 PM and 10:00 PM on Mondays through Fridays, and 8:00 AM through early evening on Saturdays and Sundays. These hours are subject to seasonal variations and demand for use of the facility. During these times of operation, the maximum anticipated number of people at the facility is 30 at any given time. The facility will always have either an on-site facility manager or tennis director present during all regular hours of operation. The facility will not be used without the presence of a staff member.

This proposed tennis facility will host tennis lessons (group and individual), tennis matches, clinics and camps, as well as youth introductory programs. It is anticipated that this "dome" will be a short-term solution for programming and to "activate" the site in order to stir up further investment interest. Fundraising for the larger multi-sport complex is on-going and once the funds are raised for the upright construction, the dome will be removed and a permanent indoor tennis building will be constructed. The site is anticipated to have additional permanent construction starting in 2020 (soccer fields and related infrastructure.)

Dome Summary

The structure proposed to cover the new tennis courts is manufactured by Yeadon, located in Minneapolis Minnesota. Information on the company and this structure can be found on the web at www.yeadondomes.com.

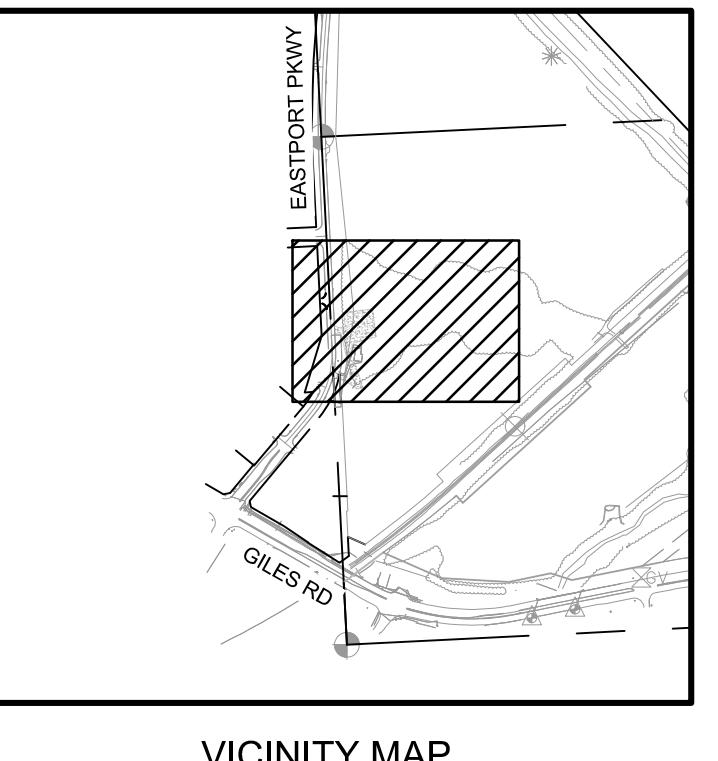
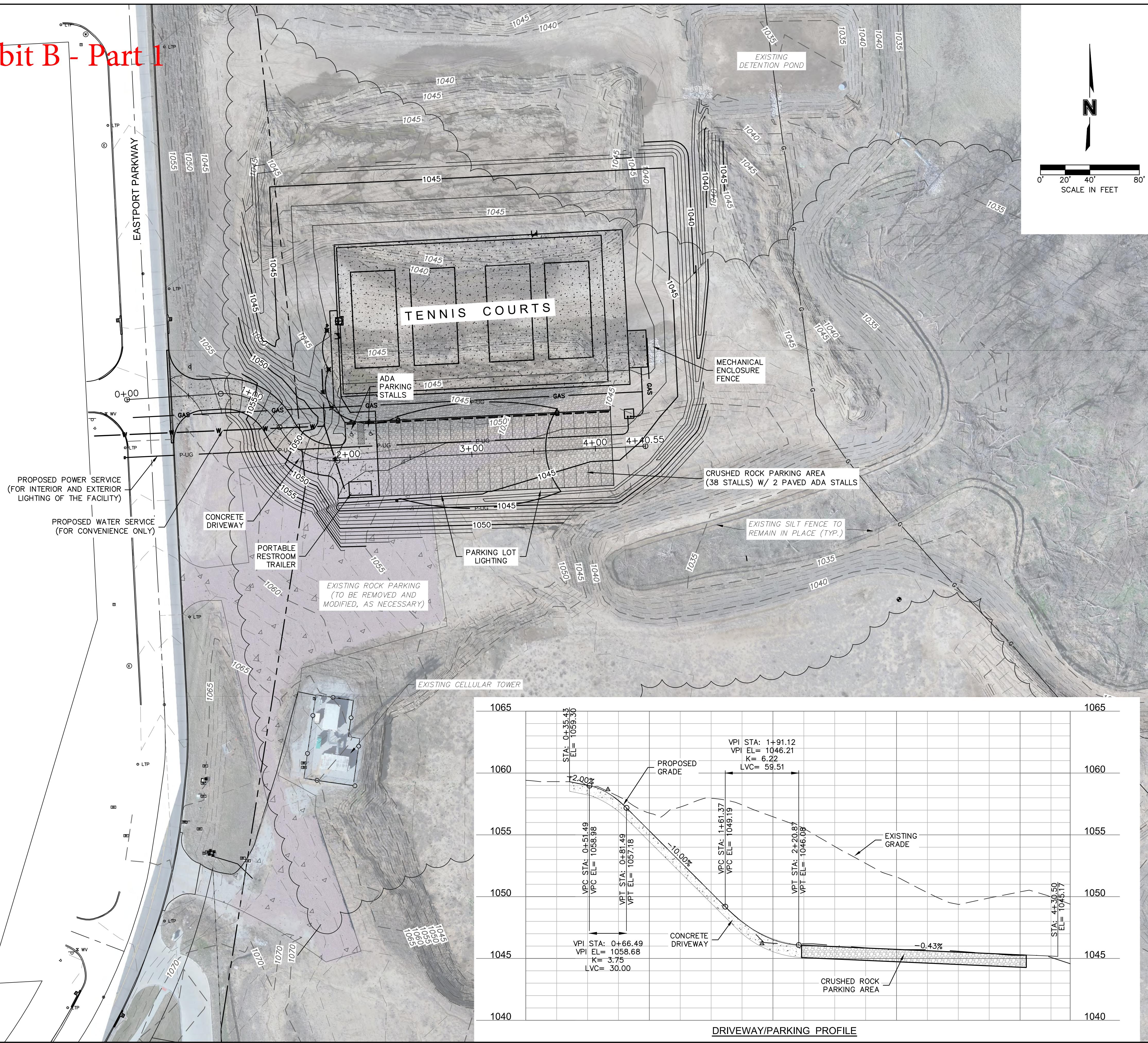
The specific structure proposed at the NMSC is an air-supported structure purchased from a local entity that had it in use for the winter weather season for multiple years. It is commonly referred to as a "dome". It has a coated fabric exterior designed to shed water, repel dirt and resist fading. In the event of snow, the internal temperature can be raised along with the pressure to resist snow loading. When the structure is not installed over the tennis courts, the only portion of the structure besides required utilities and the mechanical unit is an in-ground perimeter concrete curb which is designed to anchor the structure. If the dome needs to be dismantled for any reason, it can be removed in a day, if necessary. The structure is approximately 232' x 118' and will cover four tennis courts in this application. The occupancy for

each tennis court is estimated to be six occupants, for a total occupancy in the structure of twenty-four. The structure is not sized to accommodate spectator seating outside the tennis court markings.

The building permit application will include foundation details designed by a licensed Nebraska Engineer in accordance with the load requirements provided by the structure's original manufacturer.

The membrane structure can be installed or taken down in a single day with minimal equipment – all connections to electrical and mechanical systems are design to be safely and quickly connected with lighting built integral to the structure by Yeadon. For more specific questions about this type of structure feel free to direct the City to contact Michael Moore at Yeadon (612) 219-8415.

Exhibit B - Part 1



in
os
s
o

EXHIBIT

NEBRASKA MULTI-SPORT COMPLEX
TENNIS FACILITY

NEBRASKA

VISTA NEBRASKA

1

1

DWG: F:\2018\0501-1000\018-0683-A\40-Design\Exhibits\19-10-29_CUP_Exhibit_A180683.dwg USER: kgraham
DATE: Nov 12, 2019 2:32pm XREFS: C_XBASE_51232 C_XBNDY_51232 C_PBASE_A180683 E_SIT01_0180683_copy

2111 South 67th Street, Suite 200
Omaha, NE 68106 TEL 102 311 1116 www.olsen.com

October 22, 2019



Jay Palu
Alley Poyner Macchietto Architecture
1516 Cuming Street
Omaha, NE 68102

RE: Conditional Use Permit – Initial Review
Southport Pkwy & Eastport Pkwy
Nebraska Multi-Sport Complex Tennis Dome CUP

Jay:

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

Section 6.05.01:

1. As the intent is to operate the facility without onsite dedicated staff, the Applicant will need to address access to the facility as well as site security, such as perimeter controls, dome access lighting, parking lot lighting, and other related considerations.
2. Hours of operation will be a condition listed within the conditional use permit. As such, specific hours need to be defined for the end of the facility's operation during the weekend.
3. The inflatable dome and foundation will need reviewed in terms of engineering drawings, specifications, operating manuals and/or any other pertinent documentation that speaks to the dome life cycle, any items of major maintenance and/or during previous use of the dome, lighting and/or other electrical requirements, emergency egress and/or other safety features, temperature control, and/or other features and/or known requirements for safe operation of the dome. Please submit supporting documentation so such a review can take place.
4. The CUP will have a limited time period in which the inflatable dome is allowed to be operational, as to ensure the dome does not exceed its useful life.
5. ADA parking considerations will need to be addressed.

Section 6.05.04:

6. Location, quantity and type of portable/temporary restrooms will need to be provided, along with details of regular maintenance.
7. Any other utility needs will need to be identified and addressed.

City Hall
8116 Park View Blvd.
La Vista, NE 68128-2198
p: 402-331-4343
f: 402-331-4375

Community Development
8116 Park View Blvd.
p: 402-331-4343
f: 402-331-4375

Fire
8110 Park View Blvd.
p: 402-331-4748
f: 402-331-0410

Golf Course
8305 Park View Blvd.
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
8112 Park View Blvd.
p: 402-331-4343
f: 402-331-4375

Public Works
9900 Portal Rd.
p: 402-331-8927
f: 402-331-1051

Recreation
8116 Park View Blvd.
p: 402-331-3455
f: 402-331-0299

8. Grading work will most likely cause a need to modify the existing grading permit, including the grading drawings and any potential BMPs needed to effectively address stormwater runoff as part of the modified grading plan. Existing site controls and/or BMPs will need be evaluated and addressed with any grading work that is undertaken as part of the project.
9. The access road and parking lot will most likely need periodic maintenance in terms of snow removal and the temporary parking lot may need additional surfacing material periodically. Applicant will need to ensure the temporary parking lot is maintained to level that is safe and effective for users.

Section 6.05.09:

10. Please provide color and recent photos of the inflatable dome as to ensure there is no concern over the material being reflective or potentially cause other visibility issues to the surrounding properties and/or streets.

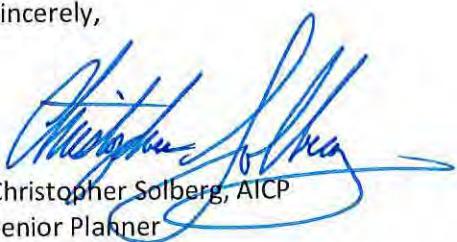
Conditional Use Permit Exhibit:

11. Confirm the accuracy of the leader stating that the Magellan Pipeline is to be removed by others.

A draft Conditional Use Permit (CUP) will be developed after your information resubmittal based on the comments in this letter. 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
Senior Planner

Cc: Pat Dowse, City Engineer
Mike Cassling, Nebraska Multi-Sport Complex
Kyle Graham, Olsson
File



October 30, 2019

Christopher Solberg
Community Development
La Vista City Hall
8116 Park View Boulevard
La Vista, NE 68128

RE: Conditional Use Permit (CUP) – Initial Review Comments
Southport Pkwy & Eastport Pkwy
Nebraska Multi-Sport Complex (NMSC) Tennis Dome CUP

Dear Christopher,

Please see the owner and design teams' responses to the initial CUP Comments as provided by your staff:

1. As the intent is to operate the facility without onsite dedicated staff, the Applicant will need to address access to the facility as well as site security, such as perimeter controls, dome access lighting, parking lot lighting, and other related considerations.
 - a. *Access to the facility will be managed by NMSC staff (tennis director and on-site facility manager). Site lighting will be installed for the parking lot and lighted bollards along access pathway to the dome entrance.*
 - b. *Once construction begins on adjacent land for phase 2, Contractor shall be responsible for providing perimeter construction fencing and safety measures to secure and isolate the active construction site.*
2. Hours of operation will be a condition listed within the conditional use permit. As such, specific hours need to be defined for the end of the facility's operation during the week.
 - a. *Hours of Operation are as follows:*
 - i. *Weekdays: 4:00 PM to 10:00 PM*
 - ii. *Weekends: 8:00 AM to 10:00 PM*
 - iii. *Intended Usage is from Labor Day weekend through the end of April. NMSC plans to use metro area exterior courts and playing fields during the summer months. Neither exterior perimeter court fencing nor sports lighting will be installed.*
3. The inflatable dome and foundation will need reviewed in terms of engineering drawings, specifications, operating manuals and/or any other pertinent documentation that speaks to the dome life cycle, any items of major maintenance and/or during previous use of the dome, lighting and/or other electrical requirements, emergency egress and/or other safety features, temperature control, and/or other features and/or known requirements for safe operation of the dome. Please submit supporting documentation so such a review can take place.
 - a. *A revised exhibit has been included in the revised CUP documents that includes:*
 - i. *status and history of components as provided in sale by previous owner*
 - ii. *contract between dome manufacturer and previous owner for purchase of new membrane in 2008*
 - iii. *technical guide for the existing furnace/blower unit as provided by previous owner from original dome purchase*
 - iv. *maintenance service history as provided by previous owner*
 - v. *original shop drawings for the existing dome as provided by dome manufacturer*

- vi. *Code plan drawing for new courts and dome as provided by APMA. Sheet CP1.1 Code Plan – First Level dated October 29, 2019.*
 - vii. *Structural drawings for new courts and dome footings as provided by TD2. Sheets include S0.0 Structural Notes and S1.1 Foundation Plan dated October 29, 2019.*
- 4. The CUP will have a limited time period in which the inflatable dome is allowed to be operational, as to ensure the dome does not exceed its useful life.
 - a. *The owner has stated that they plan to keep the temporary tennis court facility in place for 2-3 years. The temporary dome allows them to mobilize on-site and raise funds for future phases. The outdoor soccer fields construction is phase 2, with the permanent indoor tennis facility planned after that.*
- 5. ADA parking considerations will need to be addressed.
 - a. *ADA parking has been shown on revised CUP Exhibit.*
- 6. Location, quantity and type of portable/temporary restrooms will need to be provided, along with details of regular maintenance.
 - a. *Location of portable/temporary restrooms is indicated on the revised exhibit and will be shown on upcoming building permit submittal plans. Proposed ADA Restroom Trailer to be provided: ADA restroom plus one individual unisex restroom Malibu Series trailer as manufactured by Portable Restroom Trailers or equal. Sixteen-foot-long trailer includes ramp to ADA restroom. Trailer features the Smarter Restrooms App., an interactive tool which allows portable restroom rental owners to monitor the operational systems for portable restroom trailer from smartphone, tablet or computer. Specifically, it will monitor waste and freshwater tank levels, power, and interior climate control. Trailer will have electrical and water connections, with internal sanitary holding tank.*
 - b. *Neither office nor locker facilities are planned as part of temporary facility.*
- 7. Any other utility needs will need to be identified and addressed.
 - a. *Water, power, and gas connections will be addressed on the construction documents.*
- 8. Grading work will most likely cause a need to modify the existing grading permit, including the grading drawings and any potential BMPs needed to effectively address stormwater runoff as part of the modified grading plan. Existing site controls and/or BMPs will need to be evaluated and addressed with any grading work that is undertaken as part of the project.
 - a. *A grading permit modification will be submitted following building permit submittal, once the site layout is fixed.*
- 9. The access road and parking lot will most likely need periodic maintenance in terms of snow removal and the temporary parking lot may need additional surfacing material periodically. Applicant will need to ensure the temporary parking lot is maintained to level that is safe and effective for users.
 - a. *Noted. NMSC will keep facility maintained, operational and safe for staff and users.*
- 10. Please provide color and recent photos of the inflatable dome as to ensure there is no concern over the material being reflective or potentially cause other visibility issues to the surrounding properties and/or streets.

a. *Color of inflatable dome is white. Below are recent photos from its previous installation as the tennis courts dome on the Omaha Happy Hollow Club's site.*



11. Confirm the accuracy of the leader stating that the Magellan Pipeline is to be removed by others.

a. *Magellan pipeline will not be affected by this construction project.*

Please review the responses above, as well as the attached exhibits, and let me know if you have any further questions or comments.

Thanks!



Kyle Graham, PE

CC: Pat Dowse, City Engineer
Mike Cassling, Nebraska Multi-Sport Complex
Jay Palu, Alley Poyner Macchietto Architecture
File

November 7, 2019



Jay Palu
Alley Poyner Macchietto Architecture
1516 Cuming Street
Omaha, NE 68102

RE: Conditional Use Permit – 2nd Review
Southport Pkwy & Eastport Pkwy
Nebraska Multi-Sport Complex Tennis Dome CUP

Jay:

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

Section 6.05.01:

1. The initial submittal stated that the facility will not have onsite dedicated staff. However, the resubmittal stated that it will have a tennis director and on-site facility manager. Applicant needs to clarify its intentions. If the facility will have periods of time where staff is not in attendance during regular hours of operation, sufficient signage with emergency contact information needs to be provided and highly visible.
2. Site lighting will be considered temporary and will be required through the conditions of the CUP to be removed after the termination of the CUP.

Conditional Use Permit Exhibit:

3. If the Magellan Pipeline will not be affected by this project, then remove the leader.

Review of revised documents by Public Works and Building Departments have not been completed at this time. Additional comments may be forthcoming.

A draft Conditional Use Permit will be developed and provided for review separately from this letter. Please submit 14 full size copies (along with electronic copies) of the revised documents by noon on November 13, 2019 for preparation of Planning Commission packets.

City Hall
8116 Park View Blvd.
La Vista, NE 68128-2198
p: 402-331-4343
f: 402-331-4375

Community Development
8116 Park View Blvd.
p: 402-331-4343
f: 402-331-4375

Fire
8110 Park View Blvd.
p: 402-331-4748
f: 402-331-0410

Golf Course
8305 Park View Blvd.
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
8112 Park View Blvd.
p: 402-331-4343
f: 402-331-4375

Public Works
9900 Portal Rd.
p: 402-331-8927
f: 402-331-1051

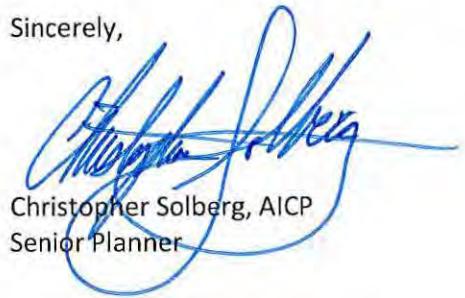
Recreation
8116 Park View Blvd.
p: 402-331-3455
f: 402-331-0299

www.cityoflavista.org
info@cityoflavista.org

The application for Conditional Use Permit will be placed on the November 21, 2019 Planning Commission agenda for review. This meeting will be held in the City Council Chambers at La Vista City Hall at 6:30pm. Please have someone in attendance to provide a short presentation on the project to the Planning Commission and answer any questions the Commission may have.

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

Sincerely,

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

Christopher Solberg, AICP
Senior Planner

Cc: Pat Dowse, City Engineer
Mike Cassling, Nebraska Multi-Sport Complex
Kyle Graham, Olsson
File



November 12, 2019

Christopher Solberg
Community Development
La Vista City Hall
8116 Park View Boulevard
La Vista, NE 68128

RE: Conditional Use Permit (C.U.P.) – 2nd Review Comments
Southport Pkwy & Eastport Pkwy
Nebraska Multi-Sport Complex (NMSC) Tennis Dome CUP

Dear Christopher,

Please see the owner and design teams' responses to the 2nd set of C.U.P. Comments as provided by your staff:

1. The initial submittal stated that the facility will not have on-site dedicated staff. However, the resubmittal stated that it will have a tennis director and on-site facility manager. Applicant needs to clarify its intentions. If the facility will have periods of time where staff is not in attendance during regular hours of operation, sufficient signage with emergency contact information needs to be provided and highly visible.
 - a. *The facility will always have either an on-site facility manager or tennis director present during all regular hours of operation. The facility will not be used without the presence of a staff member.*
2. Site lighting will be considered temporary and will be required through the conditions of the C.U.P. to be removed after the termination of the C.U.P.
 - a. *Noted. Permanent site lighting will be incorporated into the larger complex design in the future.*
3. If the Magellan Pipeline will not be affected by this project, then remove the leader.
 - a. *The note referencing the Magellan pipeline has been removed from the C.U.P. exhibit.*

Please review the responses above. As requested in your latest comment letter, 14 copies of the C.U.P. submittal package have been printed and attached to this response letter. Please let me know if you have any further questions or comments.

Thanks!

Kyle Graham, PE

CC: Pat Dowse, City Engineer
Mike Cassling, Nebraska Multi-Sport Complex
Jay Palu, Alley Poyner Macchietto Architecture
File

October 30, 2019

Christopher Solberg
Community Development
City Hall
8116 Park View Boulevard
La Vista NE 68128

RE: Conditional Use Permit (CUP) - Initial Review Comments
Southport Pkwy & Eastport Pkwy
Nebraska Multi-Sport Complex (NMSC) Tennis Dome CUP

Existing Dome Documentation as Received from Seller (Happy Hollow Club, referred to as HHC)

Table of Contents	Page 1
HHC Current Tennis Dome - Status/History of Components for purposes of resale as of August 2019	Pages 2-4
Contract between Yeadon and HHC - purchase of new membrane 2008	Pages 5-8
Indirect Fired Duct Furnaces Technical Guide, Temprite Industries, Model No. GTDM 250	Pages 9-23
Maintenance/Service History	Pages 24-36

Color of inflatable dome is white. Below are recent photos from its previous installation as the tennis courts dome on the Omaha Happy Hollow Club's site.



Happy Hollow Club's Current Tennis Dome

Status / History of components for purposes of resale

As of August 2019

Prepared by

David Podany – Building Engineer – Happy Hollow Club – 402-660-1434

Dave Schneider – General Manager – Happy Hollow Club – 515-419-5653

HHC desires to sell turnkey dome and Inflation package

Reason for selling – Purchasing new larger dome to accommodate 5 courts and 2 pickleball courts

Dome Purchase History

Club installed first complete dome package in 1997. (Second dome cover / membrane purchased in September of 2008).

Vender is Yeadon out of Minneapolis for both purchases – (Mike Moore – 612-219-8415)

Service Contractor – MMC – Midwest Mechanical Contractors (Ben Jwarski – 402-679-3044)

Mechanical Sales Inc – Local Representative for Temprite Industries - Parts for Inflation and Heating Element – (Brad McKewon – 402-658-0371)

Dome / Membrane material

Components – two vinyl pieces that cover four standard tennis courts plus an additional ½ court)

History – Purchased new in 2008-09 from Yeadon – (\$143K – see enclosed contract)

Have been counseled that it is in good shape and could last in a NE climate for another 10 years

No rips, tears, patches, or mold (some minor stains with snow and weather over last 8 and half years)

Inflation / Heating / Backup Generator elements

Components – inflation unit / Heating Unit / Backup generator

Inflation unit is powered by electricity

Heating Unit powered by natural gas

Backup generator powered by natural gas (this back up generator is for inflation only and does not supply heat when the power goes out)

History on all three components – Current housing system for all three components above is original from the first dome in 1997.

Work History from MMC on all three components

March of 2019 – New Burner Motor and Fan wheel installed – (By David Podany \$500 total)

October of 2015 – New Furnace Blower Motor and Fan Cage – (MMC Contractors – work order tag enclosed)

MMC providing a complete work history for backup (David Podany to provide)

** HHC currently has a spare Honeywell Burner Control unit (about a \$1000 value) that will go with the sale

Lights in dome

40 high intensity mercury vapor lighting (includes bulb “protection”)

Protection – designed for “tennis ball” type strikes but not for baseball type strikes, etc

All lights accounted for and in working condition

Transformers / Ballasts

Applicable wiring

Cables and Nets

Includes 4 “cables” that run parallel and in between the courts at 10 feet from court floor.

Draping down from those 10-foot cables are mesh nets to the ground keeping tennis balls from going from one court to the next.

Egress and Ingress doors (includes)

one Revolving Door

one exit door (in or out)

standard emergency door (exit only)

Usage History

The dome averages being inflated 8 months out of the year and stored on site to avoid damage or decay 4 months out of the year

Inflation and Deflation

Performed by HHC Building Engineer and staff (need about 40 laborers for the process).

Takes about 4 hours from start to finish

Owner to provide short time lapse videos of take down and set each spring and all

Cement “Track” (for bubble tarp to go into – wedged with a 2X4)

Track area is exactly - 224'.6"X119'

Other Details

HHC representatives would potentially be available to assist or consult with initial inflation

*does not address hookups of electricity or natural gas at new site

*does not account for cement foundation (track) for dome

*does not come with cement pad for inflation unit

*Does not include transportation of unit

*does not include any warranties on any portion of the entire package. However, at the end of the season 2019 we experienced a “minor” control problem with the thermostatic control clicking on and off. We have been told that it is a “minor” issue as all other main and important controls and components are in good working order. HHC will in good faith will pay up to \$500 reimbursement for this repair once inflation at the new location is complete. More details can be provided upon request.