

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
AUGUST 1, 2023 AGENDA**

Subject:	Type:	Submitted By:
CONDITIONAL USE PERMIT – LOT 1 SOUTHPORT EAST REPLAT FIFTEEN	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CHRISTOPHER SOLBERG DEPUTY COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled for Council to consider an application for a Conditional Use Permit to locate and operate a hotel (Holiday Inn Express) on the proposed Lot 1, Southport East Replat Fifteen, generally located northwest of Southport Parkway and Port Grace Blvd.

FISCAL IMPACT

None.

RECOMMENDATION

Approval of the Conditional Use Permit for Holiday Inn Express, conditional on completion of the design review approval process prior to the issuance of a building permit.

BACKGROUND

A public hearing has been scheduled to consider an application submitted by REV Development for a Conditional Use Permit, to locate and operate a Holiday Inn Express on the proposed Lot 1, Southport East Replat Fifteen. The property is zoned C-3 Highway Commercial/Office Park District with the Gateway Corridor Overlay District. The applicant proposes to build a five-story, 119-room hotel.

The property lies within the Southport East development and is subject to the building design review process. Design review must be completed for each development on this property prior to the issuance of a building permit.

A detailed staff report is attached.

The Planning Commission met on July 6, 2023 and voted 8-0 to recommend approval of the Conditional Use Permit for a hotel on parts of Lots 5 and 6 Southport East, to be replatted as Lot 1 Southport East Replat 15, contingent upon satisfactory resolution of any remaining issues as required by the Community Development Director or City Engineer prior to City Council approval, as the Conditional Use Permit 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 A CONDITIONAL USE PERMIT FOR REV DEVELOPMENT, LLC TO ALLOW FOR A HOTEL, SPECIFICALLY HOLIDAY INN EXPRESS, ON LOT 1, SOUTHPORT EAST REPLAT FIFTEEN.

WHEREAS, REV Development, LLC has applied for a Conditional Use Permit for to allow for the construction and operation of a hotel, specifically Holiday Inn Express, on Lot 1, Southport East Replat Fifteen, located northwest of the intersection of Port Grace Blvd and Southport Parkway; and

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

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a Conditional Use Permit for such purposes, subject to the following conditions:

1. Approval of Southport West Replat Fifteen.
2. Satisfactory completion of design review process and update of Conditional Use Permit exhibits, prior to recording of the Conditional Use Permit and submittal for a building permit.

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 REV Development, LLC to allow for a hotel, specifically Holiday Inn Express, on Lot 1, Southport East Replat Fifteen.

PASSED AND APPROVED THIS 1ST DAY OF AUGUST 2023.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, MMC
City Clerk



**CITY OF LA VISTA
PLANNING DIVISION
RECOMMENDATION REPORT**

CASE NUMBERS: PCUP23-0006;

FOR HEARING OF: AUGUST 1, 2023

REPORT PREPARED ON: JULY 10, 2023

I. GENERAL INFORMATION

A. APPLICANT:

REV Development
1000 O Street, Suite 102
Lincoln, NE 68508

B. PROPERTY OWNER:

PayPal Inc
12312 Port Grace Blvd
La Vista, NE 68128

C. LOCATION: Northwest of the intersection of Port Grace Blvd and Southport Parkway.

D. LEGAL DESCRIPTION: Parts of Lots 5 and 6 Southport East (Proposed Lot 1 Southport East Replat 15)

E. REQUESTED ACTION(S): Conditional Use Permit (CUP) to allow for the development of a 119-room hotel (proposed as a Holiday Inn Express).

F. EXISTING ZONING AND LAND USE: C-3 Highway Commercial/Office Park District, Gateway Corridor District (Overlay District); the property is currently vacant.

G. PURPOSE OF REQUEST: Authorize a Conditional Use Permit (CUP) to allow for the development of a hotel (proposed as a Holiday Inn Express).

H. SIZE OF SITE: Approximately 2.37 acres.

II. **BACKGROUND INFORMATION**

A. EXISTING CONDITION OF SITE: The property is currently vacant with a gradual downward slope to the northeast.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

<u>Direction From Subject Property</u>	<u>Future Land Use Designation</u>	<u>Current Zoning Designation</u>	<u>Surrounding Development</u>
North	Commercial	C-3 Highway Commercial / Office Park District with a Gateway Corridor Overlay (Overlay District);	Kiewit Corporation
East	Commercial	C-3 PUD Highway Commercial / Office Park District with a Planned Unit Development Overlay (Overlay District) and a Gateway Corridor Overlay (Overlay District);	Securities America
South	Commercial	C-3 Highway Commercial / Office Park District with a Gateway Corridor Overlay (Overlay District);	My Place Hotel and Casey's
West	Commercial	C-3 PUD Highway Commercial / Office Park District with a Planned Unit Development Overlay (Overlay District) and a Gateway Corridor Overlay (Overlay District);	La Vista Conference Center

C. RELEVANT CASE HISTORY:

1. The original plat for Southport East was approved in April 2001.

D. APPLICABLE REGULATIONS:

1. Section 5.12 of the Zoning Regulations – C-3 Highway Commercial / Office Park District.
2. Section 5.15 of the Zoning Regulations – PUD Planned Unit Development District (Overlay District).
3. Section 5.17 of the Zoning Regulations – Gateway Corridor District (Overlay District).
4. Section 6 of the Zoning Regulations – Conditional Use Permits (CUP)

III. ANALYSIS

A. COMPREHENSIVE PLAN:

1. The Future Land Use Map of the Comprehensive Plan designates the area for commercial uses.
2. The proposed project will meet Policy Work 1-3 of the La Vista Comprehensive Plan which reads: "Continue to market the City's existing business clusters, convention centers, hotels, and retail at Southport as well as quality of life factors that attract similar businesses."

B. OTHER PLANS: N/A.

C. TRAFFIC AND ACCESS:

1. Access to the property will be provided through a full access off of Port Grace Blvd as well as full access connection from S. 123rd Plaza, through an easement through the proposed Lot 2 Southport East Replat 15.
2. Applicant has provided a traffic impact memo as part of the PUD Site Plan review process. The study, dated June 5, 2023, finds that the site is expected to generate 2,348 daily trips, 115 AM peak hour trips, and 180 PM peak hour trips. The 2050 site capacity analysis finds that the individual movements related to this development will operate with a Level-Of-Service of C or better. No roadway improvements are recommended through this analysis.
3. A draft traffic impact memo is currently under review by the City's third-party consulting firm. Any proposed changes will be provided to the applicant to make adjustments and resubmit prior to the review of the development by City Council. The traffic impact memo is attached to this report.

D. UTILITIES:

1. The property has access to sanitary sewer, water, gas, power, and communication utilities.

E. PARKING REQUIREMENTS:

1. Parking requirements for Lot 1 of the development are one stall per rental unit for the hotel proposed to be developed on this lot. Based on the total number of rental units depicted within the CUP Site Plan, a total of 119 stalls would be required based on the number of rental units projected. The CUP Site Plan depicts a total of 151 parking stalls within the subject lot.

2. Overall, the site depicts a total of 391 parking stalls, well above the 276 stalls required. Parking within this PUD should be shared within Lots 1-3 to limit any possible off-site parking issues.

F. LANDSCAPING:

1. The landscaping for any developments on this site will need to comply with the requirements of the Zoning Ordinance and of the Southport East Design Guidelines. The design review process for the CUP Site Plan map set needs to be substantially complete prior to City Council review.

IV. REVIEW COMMENTS:

- A. The design of the buildings and the overall site will be reviewed through the City's Architectural Design Review process, and must be substantially complete prior to issuance of any building permits.
- B. Applicant has been made aware that developments on this property will require FAA approval prior to the issuance of a building permit due to the proximity of the Millard Airport.
- C. The development will be required to meet the requirements for a Post Construction Storm Water Management Plan as per City regulations.
- D. All necessary easements will need to be finalized and recorded prior to the issuance of building permits.

V. STAFF RECOMMENDATION – CONDITIONAL USE PERMIT:

Approval of the Conditional Use Permit for a hotel on parts of Lots 5 and 6 Southport East, to be replatted as Lot 1 Southport East Replat 15, contingent upon satisfactory resolution of any remaining issues as required by the Community Development Director or City Engineer prior to City Council approval, as the Conditional Use Permit request is consistent with the Comprehensive Plan and the Zoning Ordinance.

VI. PLANNING COMMISSION RECOMMENDATION – CONDITIONAL USE PERMIT:

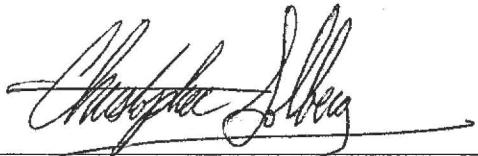
The Planning Commission met on July 6, 2023 and voted 8-0 to recommend approval of the Conditional Use Permit for a hotel on parts of Lots 5 and 6 Southport East, to be replatted as Lot 1 Southport East Replat 15, contingent upon satisfactory resolution of any remaining issues as required by the Community Development Director or City Engineer prior to City Council approval, as the Conditional Use Permit request is consistent with the Comprehensive Plan and the Zoning Ordinance.

VII. ATTACHMENTS TO REPORT:

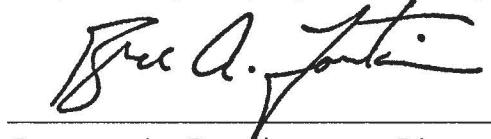
- A. Vicinity Map
- B. Review Letters
- C. Draft Conditional Use Permit

VIII. COPIES OF REPORT SENT TO:

- A. Justin Hernandez, REV Development
- B. Brian Emmerich, Olsson
- C. Public Upon Request



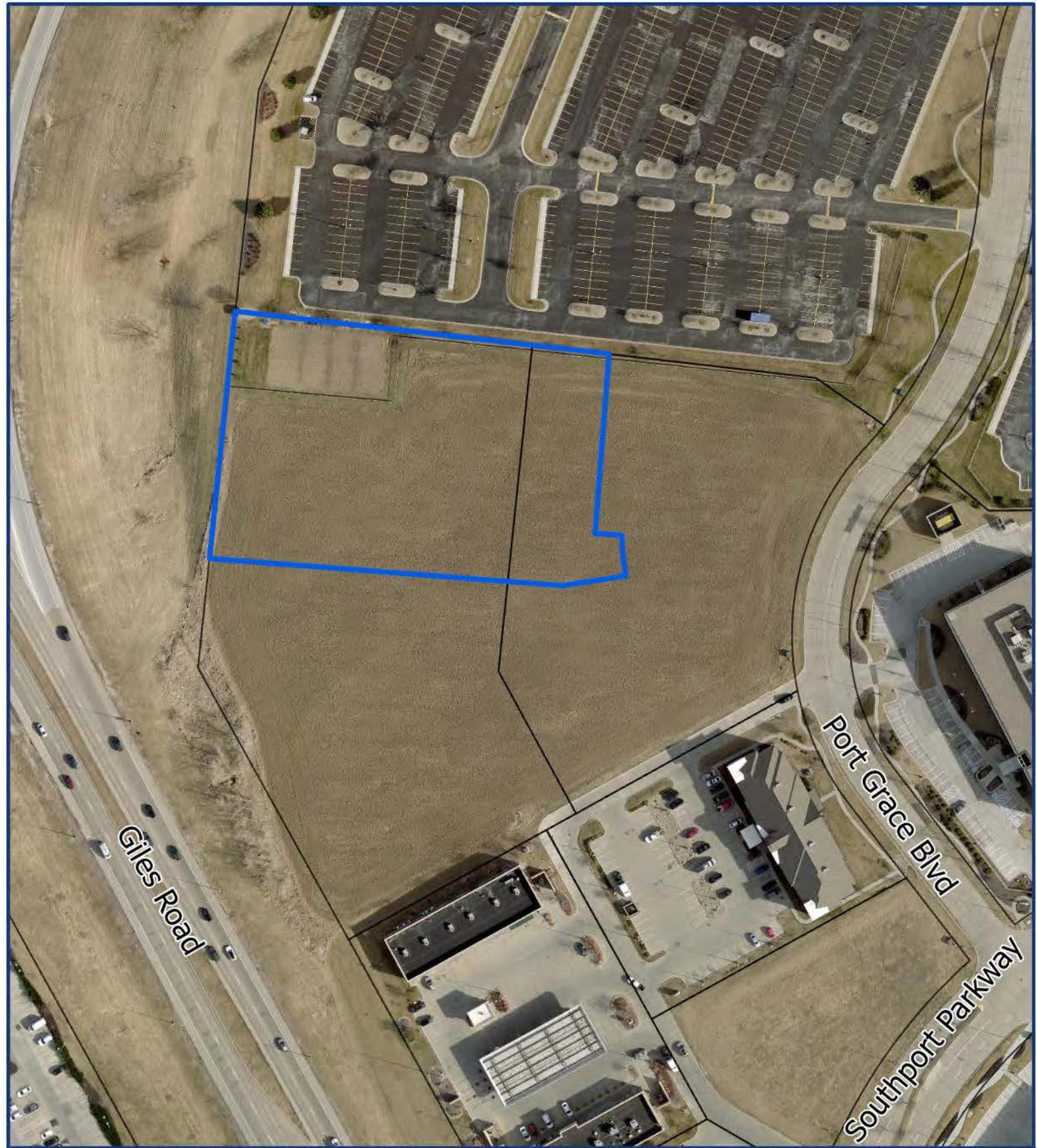
Prepared by: Deputy Community Development Director



Community Development Director

7/21/23

Date



Vicinity Map - Holiday Inn Express Hotel CUP



Legend

 CUP Boundary





June 7, 2023

Brian Emmerich
Olsson Associates
2111 N 67th Street, Suite 200
Omaha, NE 68106

RE: REV Development – PUD, CUP & Replat Applications – Initial Review Letter
Lots 5-6 Southport East

Mr. Emmerich,

We have reviewed the documents submitted for the above-referenced application. Based on the elements for consideration set forth in the applicable sections of the Subdivision Regulations and Zoning Ordinance, the City has the following comments:

Replat Application

1. Subdivision Regulations Section 3.03.03.10 – Please confirm the intent is to reduce and/or eliminate a portion of the 123rd Plaza Easement.
2. Subdivision Regulations Section 3.03.12 – Please label the book and page number of existing easements, including private easements, on the plan.
3. Subdivision Regulations Section 3.03.16 – Confirm if all three (3) lots are to be graded simultaneously. Over lot grading of all three lots will result in a disturbance greater than five (5) acres and may require additional grading BMPs.

City Hall
8116 Park View Blvd.
La Vista, NE 68128-2198
402.331.4343 P
402.331.4375 F

Community Development
8116 Park View Blvd.
402.593.6400 P
402.593.6445 F

Library
9110 Giles Rd.
402.537.3900 P
402.537.3902 F

Police
7701 S. 96th St.
402.331.1582 P
402.331.7210 F

Public Works
9900 Portal Rd.
402.331.8927 P
402.331.1051 F

Recreation
8116 Park View Blvd.
402.331.3455 P
402.331.0299 F

4. Subdivision Regulations Section 3.03.19 – Please provide a Traffic Impact Analysis memo which confirms that the background increase travel demand is consistent with the updated traffic study for the Nebraska Multi Sport Complex dated February 2022, and that there are no operational concerns with the intersections of 123rd Plaza and Port Grace Plaza, or 123rd Plaza and Southport Plaza.
5. Subdivision Regulations Section 3.05.20.2 – Please provide a post-construction stormwater management plan (PCSMP) inclusive of a drainage report, and draft Maintenance Agreement and Easement for each applicable lot and/or phase.
6. Subdivision Regulations Sections 3.05.04 & 3.05.19 – Surveyor's Certification needs to be updated to language consistent with the updated State Surveyor regulations.
7. Replat Submittal Sheet 2.0 – Confirm parallel and typical parking stall configurations are consistent with Article 7 of the Zoning Ordinance.
8. Replat Submittal Sheet 2.0 – Sidewalk easements will be required along Port Grace Boulevard for portions of the public sidewalk.

Planned Unit Development Application

9. Zoning Ordinance Section 5.15.03 – Please make the following changes to the Existing and Proposed Zoning sections of the site plan:
 - a. Existing Zoning: C-3 / Gateway Corridor District
 - b. Proposed Zoning: C-3 / PUD / Gateway Corridor District
10. Zoning Ordinance Section 5.15.04.01 – Please submit an anticipated schedule of construction, inclusive of a timeline according to the phasing exhibit as submitted.
11. Zoning Ordinance Sections 5.15.04.04, 6.05.04, 6.05.05, and 6.05.10 – Please submit a Traffic Impact Analysis memo as noted in comment #4 above.
12. Zoning Ordinance Section 5.15.04.05 – Please see the attached email correspondence with the Papillion Fire Marshall's Office regarding changes to the development entrance locations in relation to Fire Codes.

13. Zoning Ordinance Section 5.15.04.07 and 5.15.04.16 – Proper pedestrian access shall be provided between each building within the planned unit development. An ADA-compliant route for Lot 1 that considers the probable delay in the development of Lot 3 (Phase 2) should be included.
14. Zoning Ordinance Section 5.15.04.07 – Please provide the setback distances for the proposed monument sign in the northwest corner of the property. If there is an intent to provide multi-tenant signage in relation to the proposed strip-commercial use, please depict this as well. Also please note the constraints for signage as noted in Sections 7.01-7.04 of the Zoning Ordinance. Are any additional monument signs contemplated for any of the proposed uses?
15. Zoning Ordinance Section 5.15.04.08 – Please review the parking statistics table on the PUD site plan and correct as necessary. The Lot 3 parking statistics appear to be based on a hotel development on that lot.
16. Zoning Ordinance Section 5.15.04.13 – If common spaces are anticipated, including shared access drives, provisions for the proper maintenance and ownership shall be included in the submittal.
17. Zoning Ordinance Section 5.15.04.17 – The standard of measurement of setbacks along easement roads in the La Vista Zoning Jurisdiction is to measure from the back edge of the curb of the paved roadway. Please correct the setback along S 123rd Plaza accordingly.
18. Zoning Ordinance Section 5.15.05.02.2 – Please provide the height of the proposed structures.
19. Review and permitting from the FAA will likely be required due to the proximity of the development to the Millard Airport. This approval will be required prior to building permit issuance.
20. Zoning Ordinance 5.15.05.02.11 – Please depict details on the site plan for existing development on adjacent properties within 200 feet.

21. Zoning Ordinance Section 5.15.05.06 – Please include a vicinity map showing the general arrangement of streets within an area of one thousand (1,000) feet from the boundaries of the proposed planned unit development.
22. Zoning Ordinance Section 5.15.05.09 – Please submit copies of any restrictive covenants that are to be recorded with respect to the property included in the planned development district.

Holiday Inn CUP

23. Zoning Ordinance Section 6.05.04 – Please provide a post-construction stormwater management plan (PCSMP) inclusive of a drainage report, and draft Maintenance Agreement and Easement for each applicable lot and/or phase.
24. Zoning Ordinance Section 6.05.04 – The parking stall count listed in the Operating Statement does not coincide with the parking stall count listed on the CUP Site Plan. Additionally, the CUP Site Plan includes parking statistics for the adjoining lot. Please include only the parking statistics for the subject property of the CUP.
25. General Comment – Please make the following changes to the Existing and Proposed Zoning sections of the site plan:
 - a. Existing Zoning: C-3 / Gateway Corridor District
 - b. Proposed Zoning: C-3 / PUD / Gateway Corridor District

Residence Inn CUP

26. Zoning Ordinance Section 6.05.04 – Please provide a post-construction stormwater management plan (PCSMP) inclusive of a drainage report, and draft Maintenance Agreement and Easement for each applicable lot and/or phase.
27. Zoning Ordinance Section 6.05.04 – The parking stall count listed in the Operating Statement does not coincide with the parking stall count listed on the CUP Site Plan. Additionally, the CUP Site Plan includes parking statistics

for the adjoining lot. Please include only the parking statistics for the subject property of the CUP.

28. General Comment – Please make the following changes to the Existing and Proposed Zoning sections of the site plan:
 - a. Existing Zoning: C-3 / Gateway Corridor District
 - b. Proposed Zoning: C-3 / PUD / Gateway Corridor District

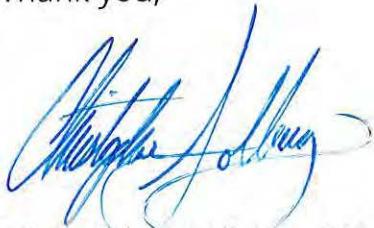
General Development Comments

29. Design Review – The building design for each of the proposed buildings must be reviewed as part of the design review process that is required for developments within the Southport East Design Guidelines prior to building permit approval. The full design review process will be conducted outside of the PUD and CUP approval processes, with the exception of the review of the preliminary landscaping plan. Please see the attached comments from the City's third-party Design Review Architect regarding the landscaping plan.
30. Please add parking lot light pole locations to the landscaping plans of the PUD/CUP plan sets in order to ensure there are no conflicts with the planting plan as presented.
31. Landscaping plans were submitted in relation to each of the proposed hotels, but not for the development as a whole. Please submit a Preliminary PUD Landscaping Plan for the entirety of the development that conforms to Section 7.17 of the Zoning Ordinance and the Southport East Design Guidelines.
32. Although the design review process will be conducted outside of the PUD/CUP process, colored versions of the draft elevations are included as exhibits within the CUP. Please include colored versions of the draft elevations with your next submittal.
33. A draft of the Conditional Use Permit for each of the proposed hotels will be provided upon review of the revised documents.

Please resubmit 2 paper copies of the Preliminary and Final Plats, PUD and CUP site plans, and other supporting documentation requested in this letter (including electronic copies) to the City for further review. Please also provide a response letter that answers or acknowledges each of the comments contained in this letter.

A timeline for review by the Planning Commission and City Council will be determined based on the timing of the resubmittal and the extent to which the issues noted this review have been sufficiently addressed. If you have any questions regarding these comments, please feel free to contact me at any time.

Thank you,



Christopher Solberg, AICP
Deputy Community Development Director
City of La Vista
csolberg@cityoflavista.org
(402) 593-6400

cc:

Justin Hernandez, REV Development
Bruce Fountain, Community Development Director – City of La Vista
Cale Brodersen, Associate City Planner – City of La Vista
Pat Dowse, City Engineer – City of La Vista
Garrett Delgado, Engineer Assistant – City of La Vista

Christopher Solberg

From: Steve Thornburg <sthornburg@papillion.org>
Sent: Wednesday, June 7, 2023 10:36 AM
To: Christopher Solberg
Subject: RE: [EXT] RE: [EXT] REV Development

Correct, they would lose the parking spaces, that is all.

[Steve Thornburg](#)
City of Papillion | Fire Marshal
10727 Chandler Rd. La Vista NE 68128
www.Papillion.org

O : 402-829-1398 | M : 402-943-8266



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From: Christopher Solberg <csolberg@cityoflavista.org>
Sent: Wednesday, June 7, 2023 10:20 AM
To: Steve Thornburg <sthornburg@papillion.org>
Subject: [EXT] RE: [EXT] REV Development

If they add an entrance at that point, in addition to the two existing ones, that would work too, right? The existing point on 123rd is the main logical traffic flow to Lot 1.

Christopher Solberg, AICP
City of La Vista | Deputy Community Development Director

From: Steve Thornburg <sthornburg@papillion.org>
Sent: Wednesday, June 7, 2023 10:11 AM
To: Christopher Solberg <csolberg@cityoflavista.org>
Subject: RE: [EXT] REV Development

Chris,

The code sections for the comment are NFPA 1 18.2.3.3 and IFC D106.3. The IFC appendix is not adopted in La Vista but gives guidance on measuring the distance between access points. If the access point moves to the west on 123rd to the corner, they meet the separation that would be acceptable.

Steve Thomburg
City of Papillion | Fire Marshal
10727 Chandler Rd. La Vista NE 68128
www.Papillion.org

O : 402-829-1398 | M : 402-943-8266



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From: Christopher Solberg <[cсолberg@cityoflavista.org](mailto:csolberg@cityoflavista.org)>
Sent: Wednesday, June 7, 2023 8:47 AM
To: Steve Thomburg <sthomburg@papillion.org>
Cc: Cale Brodersen <cbrodersen@cityoflavista.org>
Subject: [EXT] REV Development

Good Morning Steve,

We are working on the comment letter to REV Development for their proposed PUD in our Southport East area. Can you please provide me with the code reference number in relation to your comment (attached) so that I can include it in the review letter?

Thanks,

Christopher Solberg, AICP
City of La Vista | Deputy Community Development Director

402.593.6400 (Office)
8116 Park View Blvd. | La Vista, NE 68128
CityofLaVista.org

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June 6, 2023

Mr. Chris Solberg
City of La Vista
8116 Park View Blvd
La Vista, NE 68128

RE: Southport East - Port Grace & 123rd Landscape Review - Design Review Letter #1

Dear Chris:

This letter shall provide recommendations and/or corrections for the Applicant's submittal containing drawings received on 5/23/2022. For tracking purposes, I have noted deficiencies in the submittal package below, and where appropriate, the corresponding requirements outlined in the Southport East Design Guidelines.

General:

1. The following drawings were submitted:
 - a. L1.0 Landscape Plan
2. Additional reviews regarding landscaping will take place at the time of Design Review Submission for each building within this PUD with regard to specific requirements regarding the softening of areas around dumpster enclosures, screening of utilities, screening of mechanical equipment, etc.

Drawings:

1. Landscaping
 - i. No site dimensions are included to determine compliance with 6.1.D, which requires ten (10) foot wide landscaped, turfed (sodded or seeded) and irrigated green space along all interior lot lines shown in Appendix E.
 - ii. Per appendix G, the following proposed plants are not included in the approved list:
 1. Autumn Blaze Maple
 2. Bloodgood London Plane Tree
 3. Silver Linden
 4. Maney Juniper
 5. Karl Foerster Feather Reed GrassRevise to comply with Appendix G.
 - iii. Per Appendix G, trees shall have a minimum caliper of 3". Trees proposed on plant schedule have a caliper ranging from 2 to 2.5". Revise to comply with Appendix G.

Please notify the Applicant of the review comments above and request clarification and/or resubmittal as the case may be. Please remind the Applicant to properly date all resubmittals. Southport East Design Guideline Requirements not specifically discussed above are in compliance but subject to further review pending resubmittal.

Please feel free to contact me regarding additional clarifications or questions.

(402) 431-6377 direct
dkerns@schemmer.com

Sincerely,

THE SCHEMMER ASSOCIATES, INC.



Dan Kerns, AIA, NCARB
Principal
Executive Manager, Architecture
Commercial Market Leader

City of La Vista Conditional Use Permit

Conditional Use Permit for Hotel

This Conditional Use Permit issued this ____ day of _____, 2023, by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska ("City") to, REV Development LLC, Inc. ("Owner"), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner wishes to construct, own, and operate a hotel upon the following described tract of land within the City of La Vista zoning jurisdiction that Owner owns or will acquire before commencing such construction:

Lot 1, Southport East Replat Fifteen, a subdivision as surveyed, platted and recorded in the City of La Vista, Sarpy County, Nebraska ("property" or "premises").

WHEREAS, Owner has applied for a conditional use permit for the purpose of locating and operating a hotel on such property; 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 hotel, 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. Any variation or breach of any terms hereof shall cause permit to expire and terminate automatically without any further action required of the City.
2. In respect to the proposed Use:
 - a. Operations on the property will be limited to and carried out in accordance with the Operational Statement attached as Exhibit "A" and incorporated into this permit by reference.
 - 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 and attached to the permit as Exhibit "B".
 - c. This permit shall be subject to approval, execution and filing with the Sarpy County Register of Deeds of (i) Southport East Replat Fifteen, being a replat of Lots 5 and 6, Southport East, City of La Vista, and (ii) a subdivision agreement between Owner and City regarding public improvements and other requirements in connection with the Use of the property, in form and content satisfactory to the City Engineer and the terms and conditions of which shall be incorporated into this permit by reference. Provided, however, this permit shall be filed with the Sarpy County Register of Deeds immediately after such Replat Fifteen and subdivision agreement are filed with the Sarpy County Register of Deeds.

- d. The hours of operation will be 24 hours a day seven days a week.
- e. There shall not be any outside storage of materials. All trash receptacles, benches and planters shall be placed on property and securely fastened to building or concrete.
- f. The premises shall be developed and maintained in accordance with the site plan (Exhibit "B") as approved by the City and incorporated herein by this reference. Any modifications must be submitted to the Community Development Director for approval.
- g. Exterior lighting, when used, shall enhance the building design and the adjoining landscape. Building 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.
- h. 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.
- i. 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.
- j. Owner hereby indemnifies and agrees to defend the City and all officials, officers, employees, agents, successors, and assigns 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 any officers, members, directors, agents, employees, assigns, suppliers or invitees of owner, 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. In respect to the Gateway Corridor Overlay District and Southport East Design Guidelines:

- a. Building Exterior (Style and Building Materials)
 - i. Draft elevation plans (Exhibits "C") shall be reviewed in accordance with the Southport East Design Guidelines and approved through the City's design review approval process.
- b. Mechanical Units
 - i. The ground units, electrical transformers, and gas meters are to be screened from view by a mixture of shrubs and grasses.
- c. Trash Enclosure
 - i. The Site Plan (Exhibit "B") and Site Landscaping Plan (Exhibit "D") indicates screening (trash enclosure) around the refuse dumpsters. The walls of the trash enclosure are to be constructed of masonry units to match the material on the main structure. Two gates with steel frames will be utilized on the enclosure in accordance with the Southport East Design Guidelines.
- d. Landscaping and Site Treatment
 - i. The Landscape Plan (Exhibit "D") shall be reviewed in accordance with the Southport East Design Guidelines and approved through the City's design review approval process.
 - ii. Any changes to the landscape plan must be approved by the City of La Vista.
 - iii. All sidewalks along Port Grace Blvd shall be serpentine.
- e. Exterior Light Fixtures
 - i. All exterior light fixtures used on this project for parking lots shall be in accordance with the Southport East Design Guidelines. Parking lot lights (Exhibit "E") shall be located according to the Site Plan (Exhibit "B").
 - ii. All additional exterior light fixtures must be submitted for approval.
- f. Signage
 - i. All signs shall comply with the City's sign regulations and the design shall be in

accordance with the Southport East Design Guidelines.

4. 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.
 - b. The use authorized by the conditional use permit must be initiated within one (1) year of approval and shall become void two (2) years after the date of approval unless the applicant has fully complied with the terms of approval.
 - c. All obsolete or unused structures, accessory facilities or materials with an environmental or safety hazard shall be abated and/or removed at owner's expense within twelve (12) months of cessation of the conditional use.
5. Notwithstanding any other provision herein to the contrary, this permit, and all rights granted hereby, shall expire and terminate as to a permitted use hereunder upon the first of the following to occur:
 - a. Owner's abandonment of the permitted use. Non-use thereof for a period of twelve (12) months shall constitute a presumption of abandonment.
 - b. Cancellation, revocation, denial or failure to maintain any federal, state or local permit required for the Use.
 - c. Owner's breach of any other terms hereof and his failure to correct such breach within ten (10) days of City's giving notice thereof.
6. If the permitted use is not commenced within one (1) year from _____, this Permit shall be null and void and all rights hereunder shall lapse, without prejudice to owner's right to file for an extension of time pursuant to the La Vista Zoning Ordinance.
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 constitute covenants running with the land and shall be binding upon owner and all successors and assigns of the owner.

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 in writing; 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: Mike Works
REV Development, LLC
1000 O Street, Suite 102
Lincoln, NE 68508

Effective Date:

The recitals at the beginning of this permit and all exhibits referenced in this permit shall be incorporated into this permit by reference. 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:

By: _____

Title: _____

Date: _____

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA)
COUNTY OF _____) ss.
)

On this _____ day of _____, 2023, 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 Conditional Use Permit for Hotel, 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 _____)
COUNTY OF _____) ss.
)

On this _____ day of _____, 2023, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared [_____], personally known by me to be the _____ of _____, and the identical person whose name is affixed to the foregoing Conditional Use Permit for Hotel, 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”

REV DEVELOPMENT

1000 O Street, Suite 102
Lincoln, NE 68508

Operating Statement

May 19, 2023

City of La Vista
Community Development
8116 Park View Boulevard
La Vista, Nebraska 68128

To whom it may concern:

Please let this letter serve as our intention to request a Conditional Use Permit for the property located at Lots 5 and 6, Southport East, a Subdivision in Sarpy County, Nebraska. The proposed use that we are seeking is for a hotel on Lots 5 and 6. The subject property is currently zoned C-3 within the Gateway Corridor Overlay district. The proposed hotel will meet the requirements for site and building as enumerated in the Southport Design guidelines for the City of La Vista, Nebraska. The proposed development and building standards are as follows:

Proposed Height	Approximately 60 feet to parapet, not to exceed 65 feet
Proposed Building Square Footage	Approximately 70,000 square feet
Proposed Parking Proposed rooms: 119	1 space per room
Architectural Treatments	In compliance with the Southport Design Guidelines
Landscaping	In compliance with the Southport Design Guidelines
Sidewalks/Pedestrian Access	As required by Development Regulations

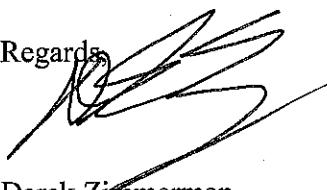
The developer of the project, REV Development, LLC, is committed to building a quality hotel that will be an asset to the surrounding community and the City of La Vista.

The contact information for the developer is as follows:

REV Development, LLC
1000 O Street, Suite 102
Lincoln, NE 68508
Contact: Mike Works
mworks@revdev.com

REV DEVELOPMENT

Regards,

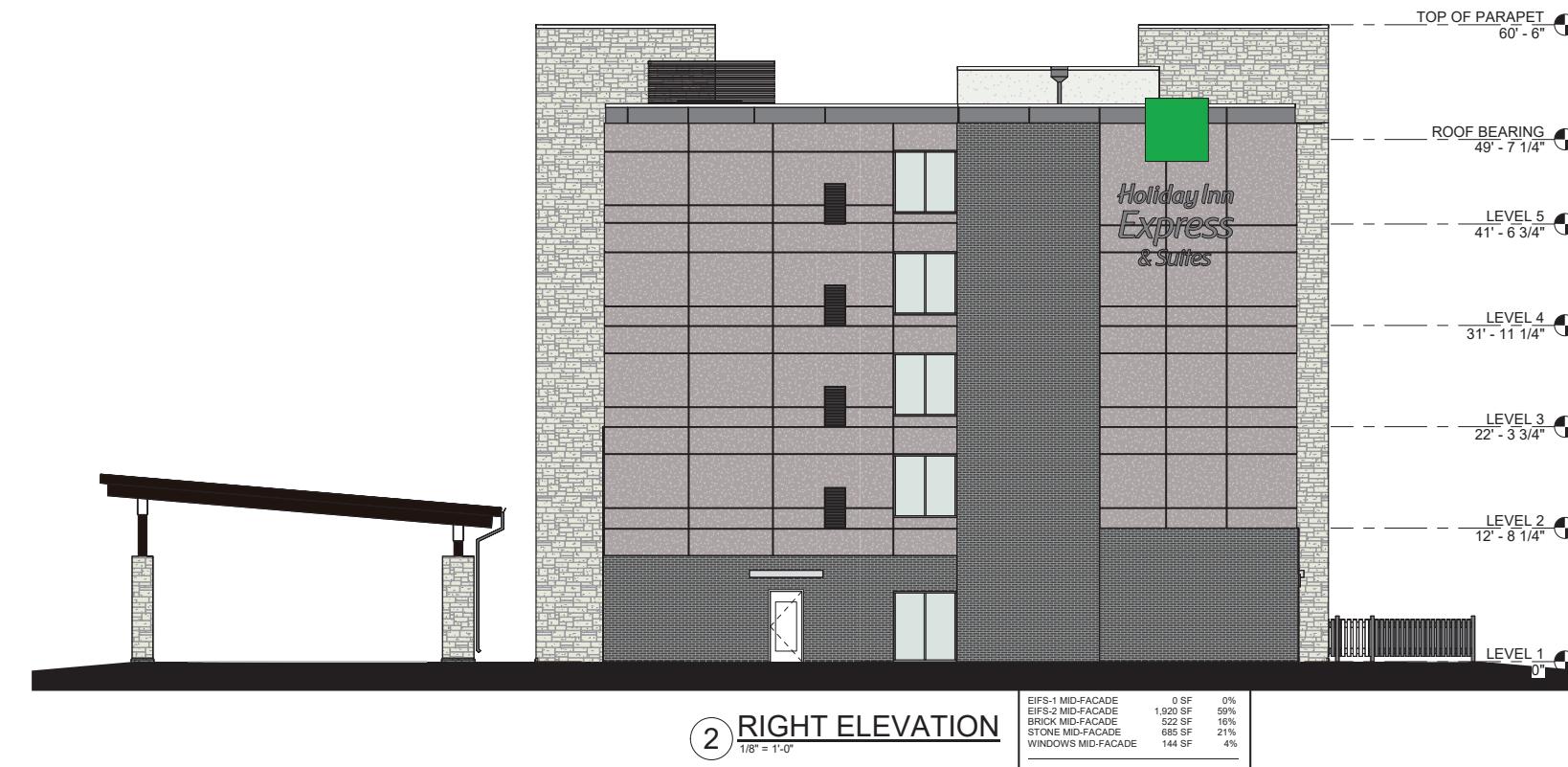
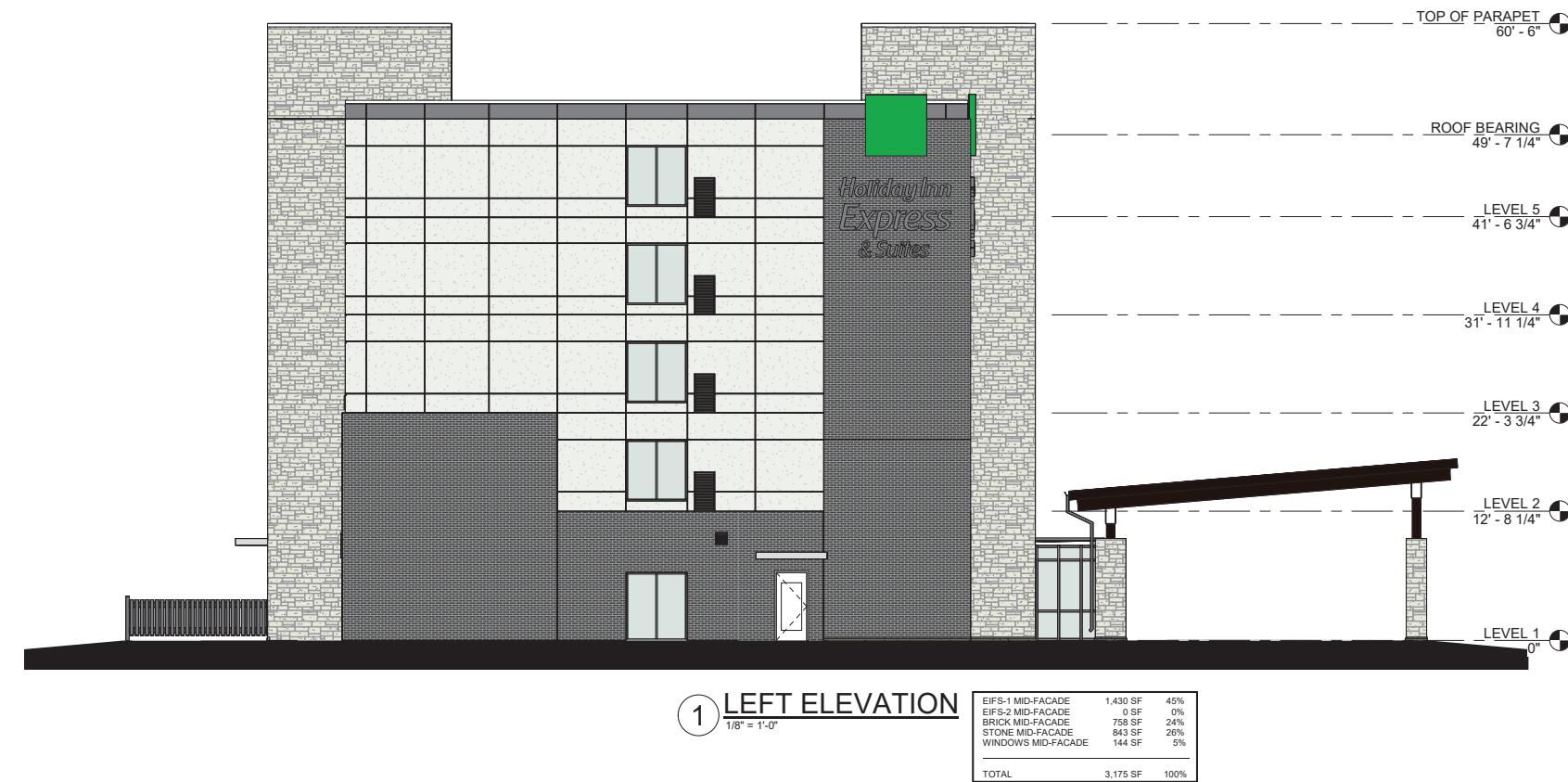


Derek Zimmerman
General Counsel
REV Development
derek@revdev.com

Exhibit “B”

Exhibit “C”

DRAFT



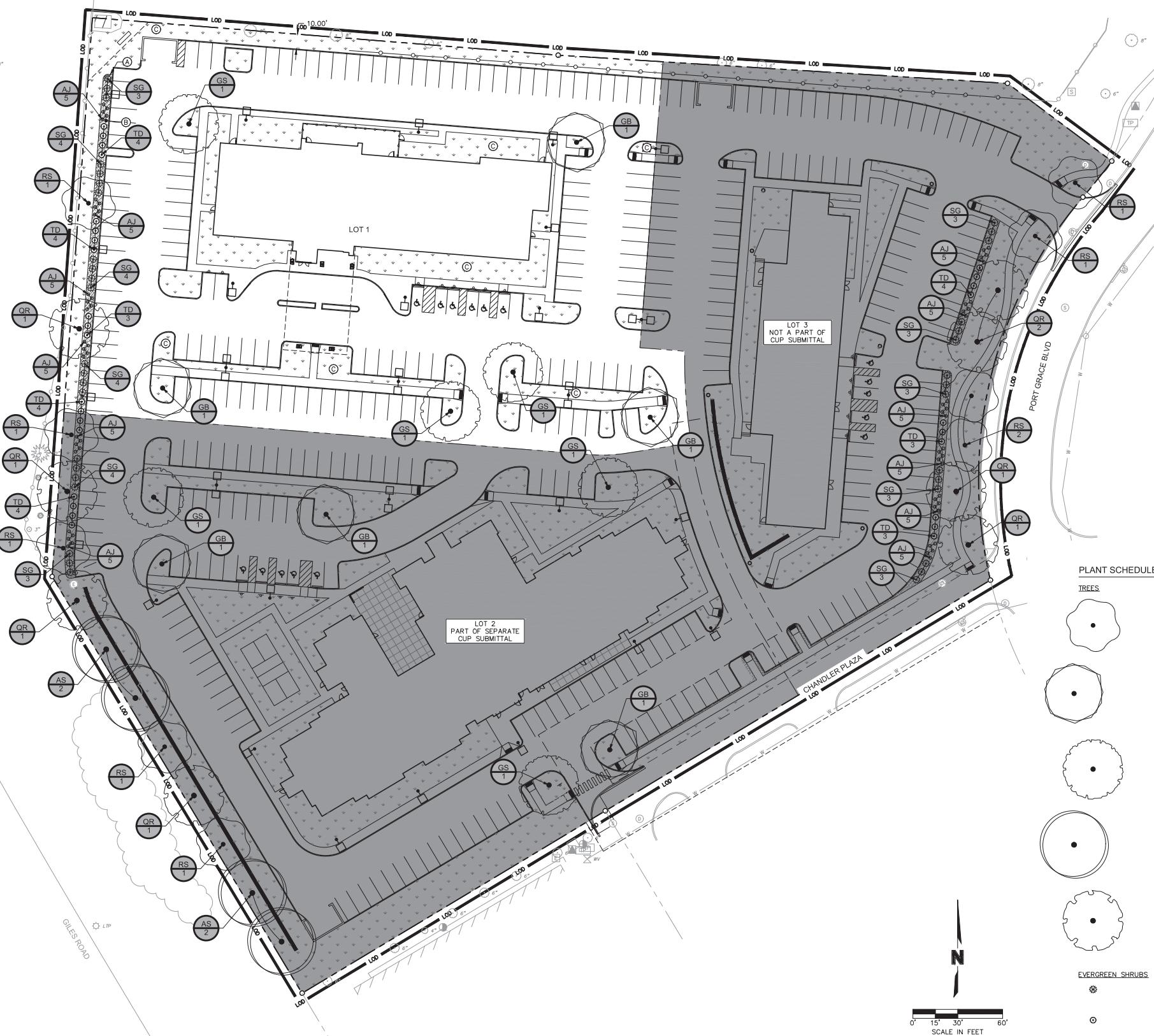
**HOLIDAY INN EXPRESS
FORMULA BLUE 2.1**
LA VISTA, NE

MATERIAL LEGEND

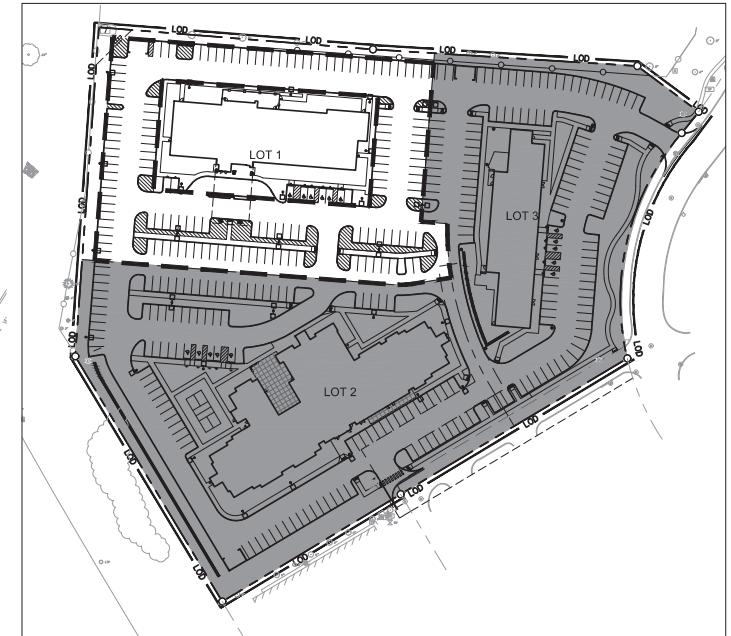
	EIFS - 1
	EIFS - 2
	STONE
	BRICK

Exhibit “D”

LANDSCAPE PLAN



PARKING LOT LANDSCAPE AREA



AREA CALCULATIONS/PARKING STATISTICS	
	LOT 1
PARKING LOT AREA	68,938
PARKING LOT LANDSCAPE	6,300
LINEAR STREET FRONTOAGE	9.14%
TREES REQUIRED (1 / 40 LF)	265
TREES PROVIDED	6.6
	7*

EXISTING TREES TO COUNT TOWARDS TREE REQUIREMENTS

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL / COMMON NAME	CAL/HT	CONTAINER	PLNT. HT.	M. HT.	M. SPR.
●	RS	9	ACER RUBRUM 'FRANKSRED' RED SUNSET MAPLE	3" CAL.	B&B	6'	50'	35'
●	GB	6	GINKGO BILOBA GINKGO BILOBA	3" CAL.	B&B	6'	50'	40'
●	GS	6	GLEDITSIA TRIACANTHOS INERMIS 'SHADEMASTER' SHADEMASTER HONEY LOCUST	3" CAL.	B&B	6'	50'	60'
●	AS	4	PLATANUS OCCIDENTALIS AMERICAN SYCAMORE	3" CAL.	B&B	6'	60'	60'

LANDSCAPE PLAN
LOT 1 CUP SUBMITTAL
SOUTHPORT EAST
PORT GRACE BLVD & S. 123RD PLAZA

LANDSCAPE PLAN	KG
LOT 1 CUP SUBMITTAL	RN
SOUTHPORT EAST	BE
PORT GRACE BLVD & S. 123RD PL	EW
LA VISTA, NE	
checked by:	KG
approved by:	RN
project by:	BE
drawing no.:	EW
date:	06/13/23
SHEET	
110	

Exhibit “E”

UPDATED SOUTHPORT EAST LIGHT FIXTURE CUT SHEETS

Revised due to change in manufacturer and
revision to arm fitter for improved durability.

Revised October 2021





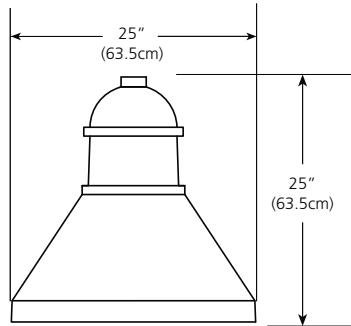
EML25

Munich Pendant Eurotique Family



Specifications

EPA: 1.86 ft²
Height: 25"
Diameter: 25"
Weight: 60 lbs



Catalog
Number

Notes

Type

Hit the Tab key or mouse over the page to see all interactive elements.

Introduction

The Munich is a European-styled pendant luminaire suitable for use with a variety of Eurotique decorative arms and poles.

Intended for use in pedestrian areas such as retail environments, public parks, city centers and commercial areas or other spaces with decorative requirements and a contemporary theme.

Ordering Information

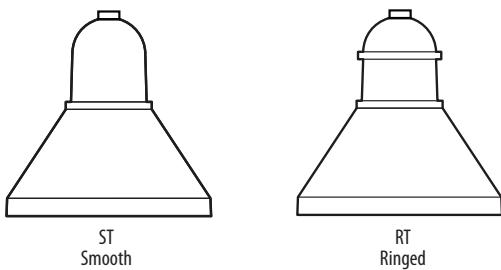
EXAMPLE: EML25 ST 63LED 350MA 4K GCF 120 R3 DDBXD											
EML25											
Series	Base	Performance Package		Color Temperature	Lens Option		Voltage	Distribution	Finish		
EML25	ST Smooth	49LED 350MA	5,000 lumens	3K 3000K	GCF	Glass clear flat	MVOLT	R2	Type 2	DDBXD	Super durable dark bronze
	RT Ringed	49LED 525MA	6,700 lumens	4K 4000K	GCSG	Glass clear sag	120	R3	Type 3	DBLXD	Super durable black
	FLT Fluted	63LED 350MA	6,000 lumens	5K 5000K			208	R4	Type 4	DNAXD	Super durable natural aluminum
		63LED 525MA	8,200 lumens				240	R5	Type 5	DWHXD	Super durable white
							277			ANBK	Antique black
							347			ANDB	Antique dark bronze
							480			ANDG	Antique dark green
										ANVG	Antique verde green
										DSPA	

Per Design Engineer of
Record requirements
for design

Use this base part #

EML25 FLT P40HO 4K GCF MVOLT Rx QSM DSPA MEZxxx/ BHC QSM FITTER DSPA

Base

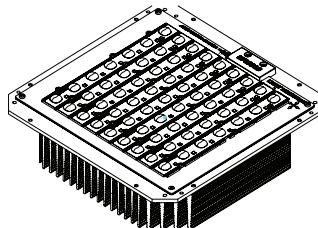


Select Your Options From

Base	Description
ST	Smooth Base
RT	Ringed Base
FT	Fluted Base

Notes:
Must select ST, RT, or FT style.

Performance Package



63 LED Light Engine Module

Select Your Choice From

Performance Package	Description
49LED 350mA	49 chips, 350 mA
49LED 525mA	49 chips, 525 mA
63LED 350mA	63 chips, 350 mA
63LED 525mA	63 chips, 525 mA

Performance Package	Watts	Distribution	3000K CCT (opt)		3000K CCT (opt)		3000K CCT (opt)	
			Lumens	Efficacy	Lumens	Efficacy	Lumens	Efficacy
49LED 350mA	59	R2	4,495	76	4,994	85	4,994	85
		R3	4,780	81	5,311	90	5,311	90
		R4	4,669	79	5,188	88	5,188	88
		R5	4,955	84	5,506	93	5,506	93
49LED 525mA	87	R2	6,030	69	6,700	77	6,700	77
		R3	6,412	74	7,125	82	7,125	82
		R4	6,264	72	6,960	80	6,960	80
		R5	6,648	76	7,387	85	7,387	85
63LED 350mA	74	R2	5,434	73	6,038	82	6,038	82
		R3	5,779	78	6,421	87	6,421	87
		R4	5,645	76	6,272	85	6,272	85
		R5	5,991	81	6,657	90	6,657	90
63LED 525mA	110	R2	7,322	67	8,135	74	8,135	74
		R3	7,786	71	8,651	79	8,651	79
		R4	7,605	69	8,450	77	8,450	77
		R5	8,072	73	8,969	82	8,969	82

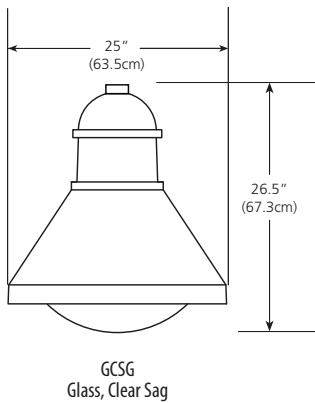
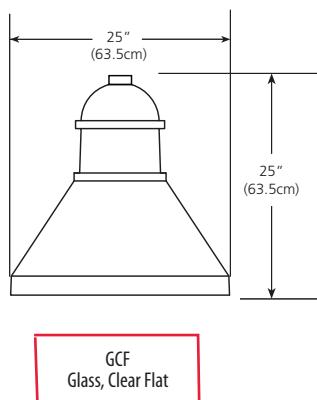
Data is considered accurate as of the revision date, shown in the highest operating temperature available.
Antique Street Lamps reserves the right to modify specifications without notice.

Color Temp

Select Your Options From

Color Temp	CCT
3K	3000K
4K	4000K
5K	5000K

Lens Option



Select Your Options From

Lens	Description
GCF	Glass, Clear Flat (Standard)
GCSG	Glass, Clear Sag



Consistent with LEED® goals
& Green Globes™ criteria
for light pollution reduction

Notes:
Nighttime Friendly™ distributions available with GCF lens only.

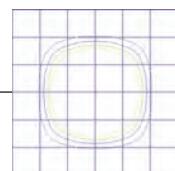
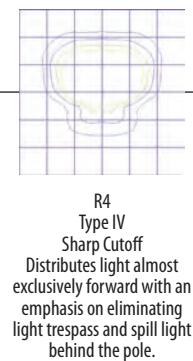
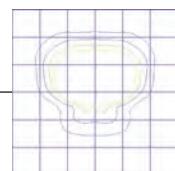
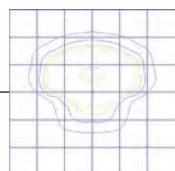
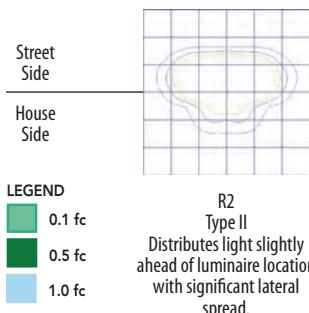
Voltage

MVOLT driver operates on any line voltage from 120 - 277V (50/60Hz)

Select Your Options From

Voltage	Description
MVOLT	MVOLT
120	120V
208	208V
240	240V
277	277V
347	347V
480	480V

Distribution



Select Your Options From

Distribution	Description
R2	Type II
R3	Type III
R4	Type IV
R5	Type V

Finish

The luminaire has a powder coat finish utilizing a premium TGIC polyester powder. The finish is a three-stage process which consists of drying, powder application and curing. Before coating, the parts are treated with a five-stage pretreatment process, consisting of a heated alkaline cleaner, rinse, phosphate coating, rinse and sealant.

For a complete listing of colors, visit:
www.acuitybrandslighting.com/architecturalcolors

Notes:

- Consult factory for RAL colors or custom color matching.

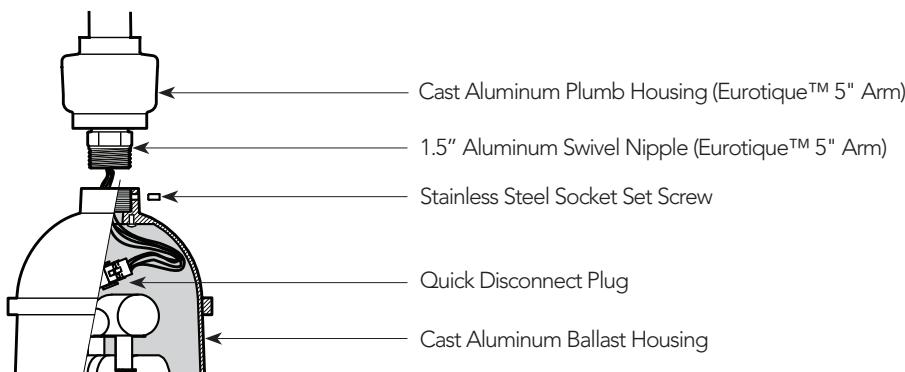
Select Your Options From

Finish	Description	Swatch
DDBXD	Super durable dark bronze	
DBLXD	Super durable black	
DNAXD	Super durable natural aluminum	
DWHXD	Super durable white	
ANBK	Antique black	
ANDB	Antique dark bronze	
ANDG	Antique dark green	
ANVG	Antique verde green	
DSPA	Traffic Grey	

Data is considered accurate as of the revision date shown.
Antique Street Lamps reserves the right to modify specifications without notice.

Installation

The luminaire is installed with a 1.5" female NPT at the top for mounting to the Eurotique 5" diameter arms. The luminaire shall be gasketed and mounted on an aluminum ring which is hinged to the skirt and furnished with a captive screw for easy relamping. The driver assembly shall be furnished with a quick disconnect plug and mount on a removable driver plate.



FEATURES & SPECIFICATIONS

INTENDED USE

This European-styled pendant or wall mount decorative luminaire is perfect for area lighting in retail, city-center, pedestrian areas or any other space with decorative requirements with a contemporary theme.

CONSTRUCTION

This luminaire consists of a driver housing with an attached skirt to shield the source from view while allowing the widest distribution. The light source is protected by your choice of a flat or sag-glass lens and assembled with stainless steel hardware. Driver and light engine assembly mount on a removable assembly plate and are furnished with quick-disconnect plugs for ease of installation and maintenance.

FINISH

Exterior parts are protected by a zinc-infused Super Durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering. A tightly controlled multi-stage process ensures a minimum 3 mils thickness for a finish that can withstand extreme climate changes without cracking or peeling.

OPTICS

Precision acrylic refractive optics for optimum light distribution through the flat or sag glass lens. Light engines are available in 3000K, 4000K or 5000K with a color rendering index (CRI) of 70 and is shielded by the skirt which blocks the view of the source from high angles.

ELECTRICAL

Light engine consists of either 49 or 63 high-efficiency LEDs mounted to a metal core circuit board and aluminum heat sink ensuring optimal thermal management and long life. Class 1 electronic driver is designed to have a power factor > 90%, THD< 20% and an expected life of 100,000 hours.

INSTALLATION

Mounts via a 1-1/2" NPT threaded swivel nipple to the Urban 4" or 5" diameter arms (specify PNJP6 option when ordering 4" arm) see arm specification sheets for details on mounting options.

LISTINGS

CSA certified to U.S. and Canadian standards and labeled as suitable for wet locations.

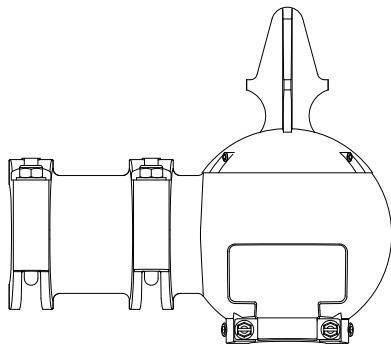
WARRANTY

5-year limited warranty. Complete warranty terms located at:
www.acuitybrands.com/support/customer-support/terms-and-conditions

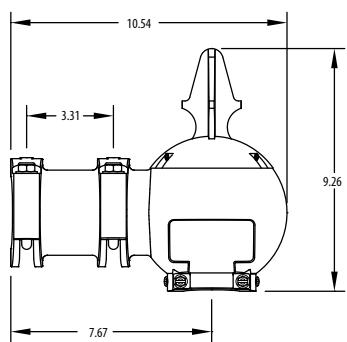
Note: Actual performance may differ as a result of end-user environment and application. All values are design or typical values, measured under laboratory conditions at 25C. Specifications subject to change without notice.

BHDF SERIES BOSTON HARBOUR STYLE

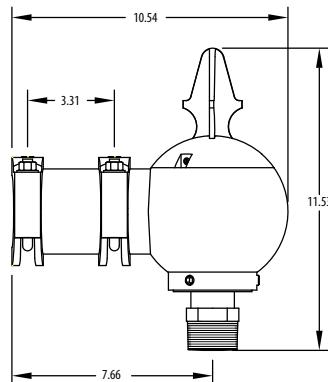
Decorative Arm Fitter



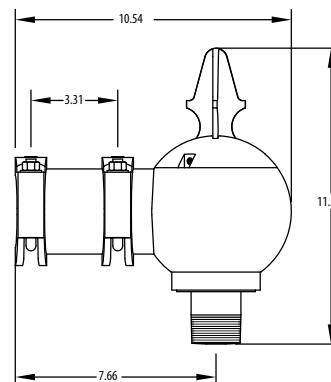
DIMENSIONAL DATA



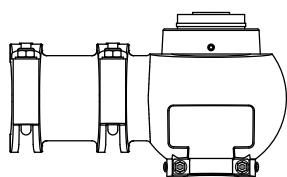
QSM Mounting



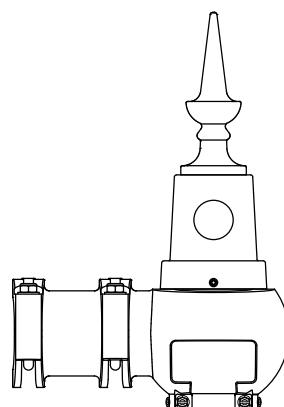
NPT15S Mounting



NPT15R Mounting



QSM Mounting with PR3E or PR7E option



TPRCSXX Accessory

Catalog Number

Notes

Installation

The fitter is provided with (2) U-bolts, washers and nuts and (2) leveling set screws that lock the fitter to a nominal 2" horizontal arm and allow a +/- 5 degree adjustment from horizontal to the fitter. (3) set screws lock either the QSM stem or NPT15S threaded male connector in place. The cast top cover can be removed to allow access to the inside of the fitter to facilitate wire connections. (3) set screws lock the cover to the fitter.

Finish

- Utilize a polyester powder coat paint to ensure maximum durability.
- Rigorous multi-stage pre-treating and painting process yields a finish that achieves a scribe creepage rating of 8 (per ASTM D1654) after over 5000 hours exposure to salt fog chamber (operated per ASTM B117) on standard and RAL finish options.
- RAL (RALxxxSDCR) paint colors are Super Durable Corrosion Resistant, 80% gloss.

Warranty

2-year limited warranty. Complete warranty terms located at: www.acuitybrands.com/support/warranty/terms-and-conditions

Note: Actual performance may differ as a result of end-user environment and application.
Specifications subject to change without notice.

BHDF SERIES

BOSTON HARBOUR STYLE

Decorative Arm Fitter



ORDERING INFORMATION

Example: BHDF QSM BK PR7E PCLL

Series	Size	Finish	Options
BHDF	Harbor Decorative Arm Fitter	NPT15S Pendant 1.50 NPT Swivel	BK Black
		NPT15R Pendant 1.50 NPT Rigid	BZ Bronze
		QSM Quick Stem Mount	DB Dark Blue
			GH Graphite
			GN Green
			GR Gray
			PP Prime Painted
			SL Silver
			WH White
			CMC Customer matching color
			CTBS Standard color to be selected
		RALxxxxSDCR	RAL Super Durable Corrision Resistant, 80% Gloss Paint, replace xxxx with RAL number.
			PR3E External Mounted NEMA Twist Lock Photocontrol Receptacle - 3 PIN
			PR7E External Mounted NEMA Twist Lock Dimming Photocontrol Receptacle - 7 PIN
			SH Shorting cap
			PCLL Long Life DTL Twistlock Photocontrol for Solid State, MVOLT
			P34 Long Life DTL Twistlock Photocontrol for Solid State, 347V
			P48 Long Life DTL Twistlock Photocontrol for Solid State, 480V

Accessories
TPRCSXX Twistlock Photocontrol Cover Assembly with Spike Finial

Note:
Cover will only work with PR3E or PR73 with Acuity's PCLL, P34, P48, SH or other like devices equal in dimension.