

**CITY OF LA VISTA  
PLANNING DIVISION**

**RECOMMENDATION REPORT**

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CASE NUMBER:

FOR HEARING OF: November 20, 2008  
Report Prepared on November 11, 2008

**I. GENERAL INFORMATION**

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

**II. BACKGROUND INFORMATION**

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

**D. APPLICABLE REGULATIONS:**

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

**III. ANALYSIS**

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

**B. OTHER PLANS:** Southport Plaza Architectural Design Review

**C. TRAFFIC AND ACCESS:**

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

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

**IV. REVIEW COMMENTS:**

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

**V. PLANNING STAFF RECOMMENDATION:**

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

**VI. ATTACHMENTS TO REPORT:**

1. Vicinity Map
2. Draft Conditional Use Permit with Exhibit

**VII. COPIES OF REPORT SENT TO:**

1. Farrell's Bodyshaping
2. Brad Underwood, Owner
3. Public Upon Request



Prepared by:



Community Development Director

11-13-08

Date

# City of La Vista Conditional Use Permit

## Conditional Use Permit for a Health Club

This Conditional Use Permit issued this 2nd day of December, 2008, by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska ("City") to, Southport Plaza, LLC ("Owner"), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner wishes to construct and operate a health club upon the following described tract of land within the City of La Vista zoning jurisdiction:

Lot 1 of Southport East Replat 10; located in the NE ¼ of Section 18, Township 14 North, Range 12 East of the 6th P.M. Sarpy County, Nebraska.

WHEREAS, Owner has applied for a conditional use permit for the purpose of locating and operating a health club; 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 premises designated on Exhibit "A" hereto for a health club, said use hereinafter being referred to as "Permitted Use or Use".

### Conditions of Permit

The conditions to which the granting of this permit is subject are:

1. The rights granted by this permit are transferable and any variation or breach of any terms hereof shall cause permit to expire and terminate without the prior written consent of the City (amendment to permit) or unless exempted herein.
2. In respect to the proposed Use:
  - a. A site plan showing the property boundaries of the tract of land and easements, proposed structures, parking, access points, and drives shall be provided to the City and attached to the permit as Exhibit "A".
  - b. Hours of operation for the use will be from 6:00 a.m. – 7:00 p.m., weekdays; and 7:00 a.m. – 9:30 a.m. Saturdays.
  - c. There will be a maximum of two (2) employees working at any given time at the health club.
  - d. The use will comprise of 4,000 sq. feet of building space.
  - e. Off-street parking shall be provided for the Permitted Use and the number of parking spaces shall be adequate, as determined by the City, to accommodate the patrons and guests of the Permitted Use without negatively impacting or limiting the number of parking spaces for other existing or future tenants.
  - f. The premises shall be developed and maintained in accordance with the site plan (Exhibit "A") as approved by the City and incorporated herein by this reference. Any modifications must be submitted to the Chief Building Official for approval.

- g. There shall be no storage, placement or display of goods, supplies or any other material, substance, container or receptacle outside of the facility, except trash receptacles per Appendix P: Site Furnishings in the Southport East Design Guidelines and those approved in writing by the City.
- h. There shall not be any outside storage of materials. All trash receptacles, benches and planters, as permitted by the Southport East Design Guidelines, shall be placed on property and securely fastened to building or concrete.
- i. Owner shall obtain all required permits from the City of La Vista and shall comply with any additional requirements as determined by the Chief Building Official, including, but not limited to, building, fire, ADA and FAA.
- j. Owner shall comply (and shall ensure that all employees, invitees, suppliers, structures, appurtenances and improvements, and all activities occurring or conducted, on the premises at any time comply) with any applicable federal, state and/or local regulations, as amended or in effect from time to time, including, but not limited to, applicable environmental or safety laws, rules or regulations.
- k. Owner hereby indemnifies the City against, and holds the City harmless from, any liability, loss, claim or expense whatsoever (including, but not limited to, reasonable attorney fees and court cost) arising out of or resulting from the acts, omissions or negligence of the owner, his agents, employees, assigns, suppliers or invitees, including, but not limited to, any liability, loss, claim or expense arising out of or resulting from any violation on the premises of any environmental or safety law, rule or regulation.

3. The applicant's right to maintain the use as approved pursuant to these provisions shall be based on the following:

- a. An annual inspection to determine compliance with the conditions of approval. The conditional use permit may be revoked upon a finding by the City that there is a violation of the terms of approval, if the violation continues after written notice from the City to Owner and a reasonable time was given for Owner to cure such violation.

4. In respect to the Gateway Corridor Overlay District and Southport East Design Guidelines: (All design guidelines were approved with the construction of the Southport Center building.)

5. The applicant's right to maintain the use as approved pursuant to these provisions shall be based on the following:

- a. An annual inspection to determine compliance with the conditions of approval. The conditional use permit may be revoked upon a finding by the City that there is a violation of the terms of approval.
- b. The use authorized by the conditional use permit must be initiated within one (1) year of approval and shall become void two (2) years after the date of approval unless the applicant has fully complied with the terms of approval.
- c. All obsolete or unused structures, accessory facilities or materials with an environmental or safety hazard shall be abated and/or removed at owner's expense within twelve (12) months of cessation of the conditional use.

6. 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 construction or placement of a storage tank, structure or other improvement on the premises not specified in this permit.
- d. 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.

7. If the permitted use is not commenced within one (1) year from **December 2, 2008**, this Permit shall be null and void and all rights hereunder shall lapse, without prejudice to owner's right to file for an extension of time pursuant to the La Vista Zoning Ordinance.
8. 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.
9. 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:** Brad Underwood  
Southport Plaza, LLC  
11717 Burt St., Suite 102  
Omaha, NE 68154  
(402) 333-3333

#### **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, CMC  
Deputy 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: \_\_\_\_\_

# PLANNING & ZONING APPLICATION



## CITY OF LA VISTA

8116 PARK VIEW BLVD., LA VISTA, NE 68128

402-331-4343

### Check Application/s Submitted:

<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Administrative Plat	<input type="checkbox"/> Preliminary P. U. D.
<input type="checkbox"/> Rezoning	<input type="checkbox"/> Preliminary Plat*	<input type="checkbox"/> Final P.U.D.
<input type="checkbox"/> Zoning/Subdivision Amendment	<input type="checkbox"/> Revised Preliminary Plat	<input type="checkbox"/> Building Design Review
<input checked="" type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Final Plat	<input type="checkbox"/> Site Plan Review
<input type="checkbox"/> Conditional Use Permit Amendment	<input type="checkbox"/> Replat or Small Tract Sub.	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Tower Development Permit	<input type="checkbox"/> Vacation of Plat	

\*A pre-application meeting is required prior to submittal.

### A. General Information

#### 1. APPLICANT

Name: FARRELL'S EXTREME BODYBUILDING Contact: BRENT NICKEL  
Address: 15791 W DODGE RD  
City/State/Zip: OMAHA, NE 68118  
Phone/Fax: (402) 305-1392  
Email address: brent@nickelfitness.com

#### 2. PROPERTY OWNER (If not the same as applicant above):

Name: SOUTHPART PLAZA, LLC Contact: BRAD UNDERWOOD  
Address: c/o REBC 11717 BURT ST #102  
City/State/Zip: OMAHA NE 68154  
Phone/Fax: (402) 333-3333  
Email address: bunderwood@reloc Omaha.com

#### 3. ENGINEER/SURVEYOR OR ARCHITECT:

Name: MEYER + ASSOCIATES Contact: RANDI MEYER  
Address: 1065 N 115TH ST #200  
City/State/Zip: OMAHA NE 68154  
Phone/Fax: (402) 391-1823  
Email address: rmeyer@meyerarchitecture.com

4. **PRIMARY PROJECT CONTACT** (applicant, representative, or other):

Name: Brad Underwood Contact: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone/Fax: \_\_\_\_\_  
Email address: \_\_\_\_\_

- If more than one property owner or developer is involved, please attach additional names and addresses to this application.
- The contact person will receive all staff correspondence.

**Twelve additional, pre-folded (8.5 x 11) copies of each site plan/plat is required with your submittal.**

Please note that your application will not be accepted or there may be a delay in processing by the Community Development Department if any of the required information or materials are missing or improperly presented. In order to ensure that a complete application is provided and to avoid unnecessary delays in processing, please remember to submit the appropriate submittal requirements, i.e., signed application, fees, exhibits and/or site plans, special studies if applicable and signed checklist. If you have any questions regarding this application or required materials, please contact the Community Development Department at (402) 331-4343 between 8:00 a.m. and 4:30 p.m., Monday through Thursday, and on Friday, 8:00 a.m. to Noon.

5. **Certification:**

An application may be filed only by the owner(s) of the property or by a person with the power of attorney from the owner authorizing the application, or by the attorney-at-law representing the owner.

Indicate your authority.

I (We) (am) (are) the sole owner(s) of the property.

I have the power of attorney from the property owner(s) authorizing the application and a copy of the authorization is attached.

I am the attorney at law representing the owner(s) and a copy of the authorization is attached.

Brad Underwood

Signature

Brad Underwood

Print Name

SOUTHPORT PLAZA, LLC

11717 BUR ST #102

Address

Signature

Print Name

Address

**NOTE: ALL APPLICATIONS MUST HAVE THE CURRENT PROPERTY OWNER'S SIGNATURE(S), OR THE PERSON WITH THE PROPER POWER OF ATTORNEY SIGNATURE, NOTARIZED BY A CERTIFIED NOTARY PUBLIC (ATTACH IF NECESSARY)**

6. **Affiliated Application:**

An applicant may wish to increase the property considered under this application to include surrounding

owners. By signing below, an adjoining property owner can state their intent to be party to this application (attach additional sheet if necessary). A legal description must also be attached for each property owner.

**Signature** **Print Name** **Address**

**Signature** **Print Name** **Address**

#### B. Project Information:

1. Subdivision Name: SOUTHPORT EAST
2. Project Location: E 1/2 SECT 18 1/4 NW 1/4 Section 17, T 14N, R 12E, Sarpy County, Nebraska  
General Location: SOUTHPORT EAST REPLAT 10 LOT 1
3. Project/Property Address (if known): 7428 EASTPORT PARKWAY
4. Area: 2.087 (acres)
5. Future Land Use Designation (Comprehensive Plan): \_\_\_\_\_
6. Proposed Land Use Designation (if applicable): \_\_\_\_\_
7. Existing Zoning Designation: (attach additional sheet if necessary)

Zoning	Acres	Lots	Units	Density
<u>C3</u>	<u>2.087</u>	<u>1</u>		
Total				

8. Proposed Zoning Designation: (attach additional sheet if necessary)

Zoning	Acres	Lots	Units	Density
<u>C3</u>	<u>2.087</u>	<u>1</u>		
Total				

9. Present Use of the Land: MIXED-USE STRIP CENTER / DAYCARE

10. Proposed Request: APPROVAL OF A CONDITIONAL USE PERMIT FOR A 4,000 SQ FT HEALTH CLUB IN C3.

11. If commercial/industrial/office or multi-family residential:

- a. Number & Type of units/buildings: 1 MIXED-USE BUILDING
- b. Total building coverage (footprint): 12,238 square feet.
- c. Total Open Space: 88,198 square feet.
- d. Total paved impervious area: 30,664 square feet

e. Total building floor area: 11,672 gross square feet.  
f. Total number of parking spaces: Provided 58 Covered ✓ Uncovered 58+ **CROSS PARKIN**  
g. Total number of persons employed or intended to be regularly employed on the site  
during the maximum working shift 2 + outer

12. Building Height: 27' 7" feet 1 stories.

13. If single family residential:

a. Number of units/ lots: \_\_\_\_\_  
b. Minimum lot frontage as measured at building setback line: \_\_\_\_\_  
c. Minimum lot size: \_\_\_\_\_ square feet  
d. Average lot size: \_\_\_\_\_ square feet

14. Attach Legal Description of Property and Surveyor's Certificate.

15. Attach list of Property Owners located with 300 feet of proposed project. (Must be prepared by  
a title company and in label-ready format).

16. Attach site plan and/or other documents that illustrate this request.

17. Include appropriate application fee.

18. For public hearing presentation, overhead transparencies or other approved form of projected  
illustrations identical to any display boards being used are required.

**For Office Use Only**

Project Case Number \_\_\_\_\_

Planning Commission \_\_\_\_\_

Published \_\_\_\_\_

Action: \_\_\_\_\_

Date Complete Application Received \_\_\_\_\_

City Council \_\_\_\_\_

Published: \_\_\_\_\_

Action: \_\_\_\_\_

Check Number/Amount \_\_\_\_\_

Posted on Property: \_\_\_\_\_

Notice to School District: \_\_\_\_\_

Other Comment(s): \_\_\_\_\_

October 3, 2008

To: LaVista Planning Department and City Council

Re: Conditional Use Permit at Southport Plaza

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

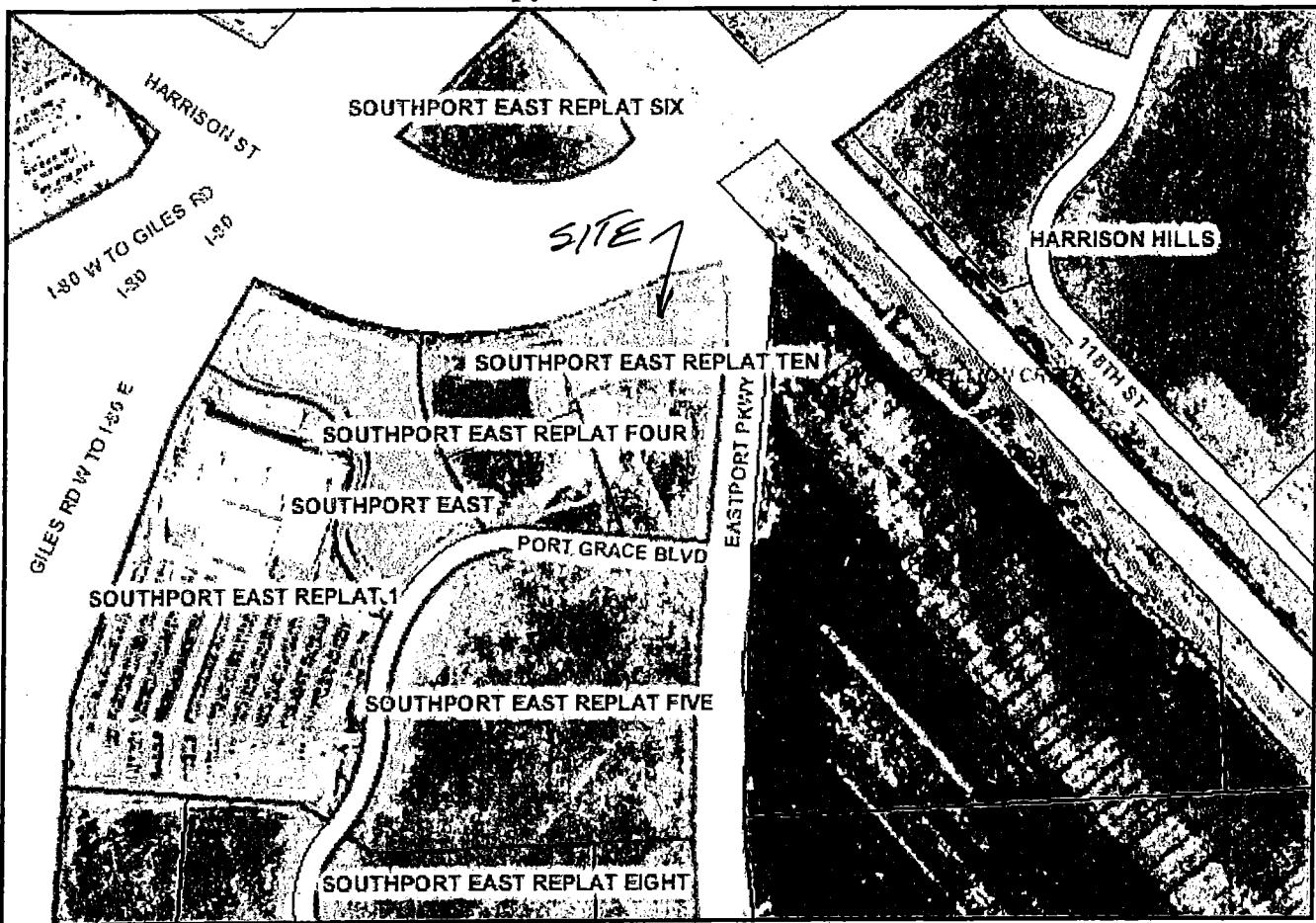
The Southport Plaza facility will start with two 45-minute classes per day, with the first class starting at 6:30 am and the second at 5:30 pm. Initially, we will employ two full time employees. We expect to have no more than 30 students per class. As the demand grows we will expand with class times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

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

Sincerely,

Brent Nickel  
Vice President

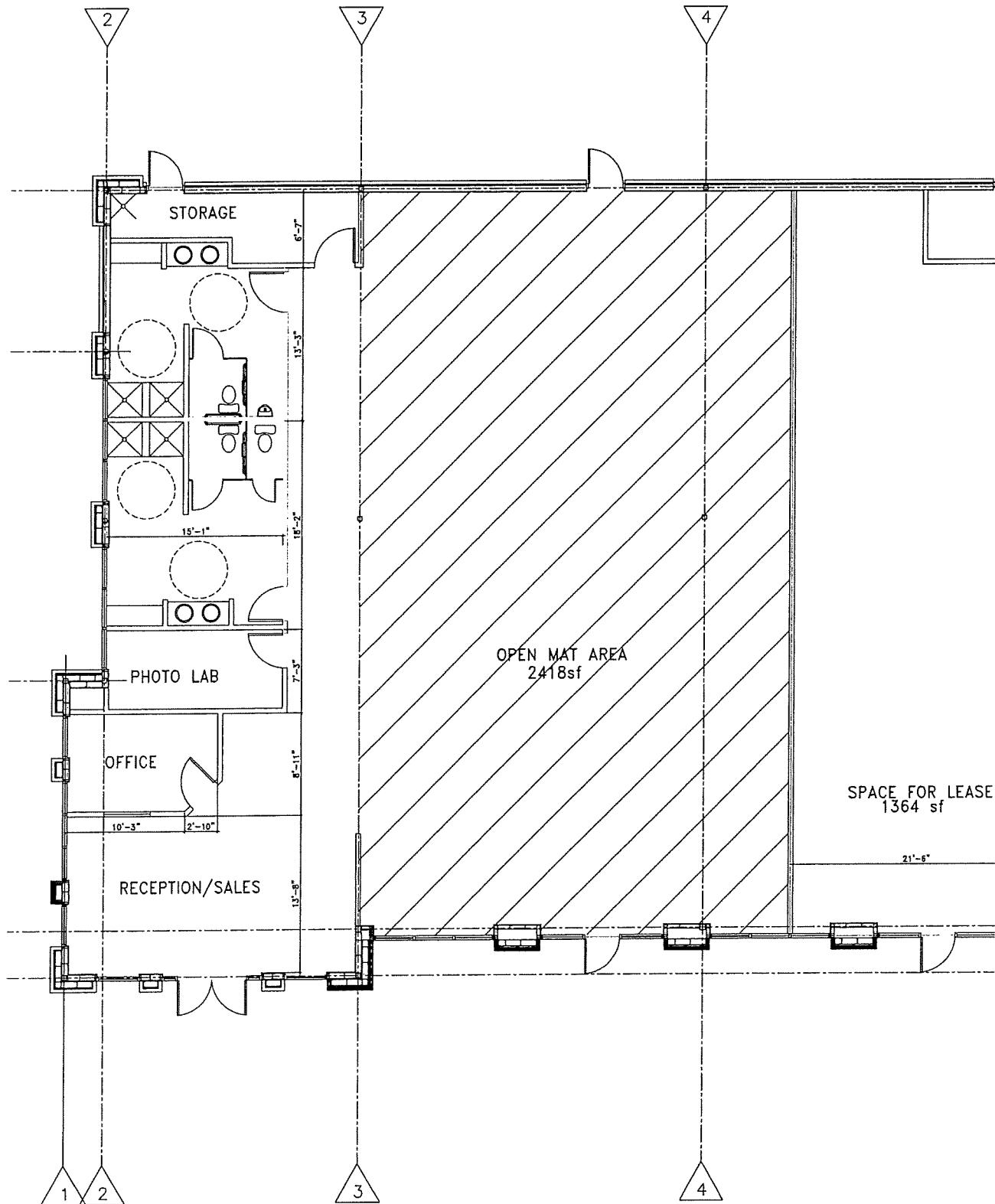
## Sarpy County, Nebraska



Parcel ID Number	011590976	Neighborhood Code	500
Owner Name	SOUTHPORT INVESTORS LLC	Property Type	COMM
Mailing Address	11717 BURT ST	Improvements Value	
City State	OMAHA NE	Land Value	\$454,650
Zip Code	68154-	Total Value	\$454,650
Property Address		Tax District	27044
Legal Description	LOT 1 SOUTHPORT EAST REPLAT TEN		

*Disclaimer:* This data is for informational purposes only, and should not be substituted for a true titles search, property appraisal, survey, or for zoning district verification. Sarpy County and the Sarpy County GIS Coalition assume no legal responsibility for the information contained in this data.

Map Scale  
1 inch = 457 feet

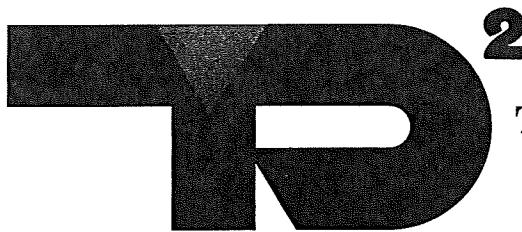


SOUTHPORT PLAZA  
FARRELL'S EXTREME BODYSHAPING  
REVISED 9/4/2008  
SCALE: 1/8" = 1'-0"

D<sup>3</sup><sub>3</sub>  
interiors

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





# THOMPSON, DREESSEN & DORNER, INC.

## Consulting Engineers & Land Surveyors

November 4, 2008

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

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

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

RE: Rezoning & Conditional Use Permit Reviews 2008  
Lot 1, Southport East Replat 10  
Proposed Conditional Use Permit for Farrell's Extreme Bodyshaping  
TD<sup>2</sup> File No. 171-357.6

Marcus:

I have reviewed the application and supporting information that were received in this office on October 23, 2008 for a proposed conditional use permit for health club activities at the above-referenced location. It appears that the intent is to use 4,000 square feet of the remaining 5,656 square feet in the building, which is not used by the child daycare facility. The applicant should make clear whether the proposal is to leave an approximate 1,656 square feet area for future leasing. Based on the elements for consideration set forth in Article 6.05 of the Zoning Regulations, the only item for which I have a concern is parking. The applicant has submitted information showing the required parking for the daycare at 28.1 stalls, which matches the information I have in my files at the time the daycare use permit was granted. Then, the parking requirement for the balance of the building (5,656 square feet) has been calculated at 1 stall per 200 square feet or 28.28 stalls. The parking requirement for a health club in the recently revised parking regulations is one stall per 200 square feet PLUS one space for each employee on the peak shift which was not identified in the calculations. However, the applicant's information states that there will be two full time employees. So, if that is the total number of employees at peak times, then the required parking would be right at 58 stalls and the previously approved site plan shows 58 stalls provided. The parking would meet the requirements of the zoning ordinance.

I recommend that the site be checked to see that 58 stalls do exist. If so, I do not have an objection to the proposed conditional use permit.

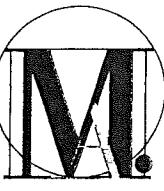
Submitted by,

THOMPSON, DREESSEN & DORNER, INC.

John M. Kottmann, P.E.

JMK/jlf

cc: File



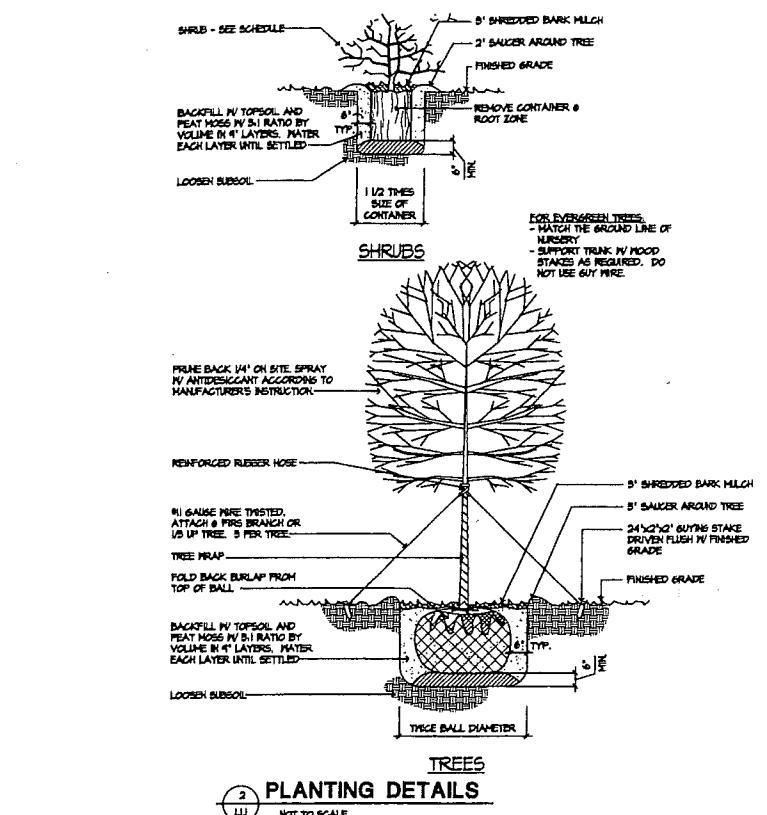
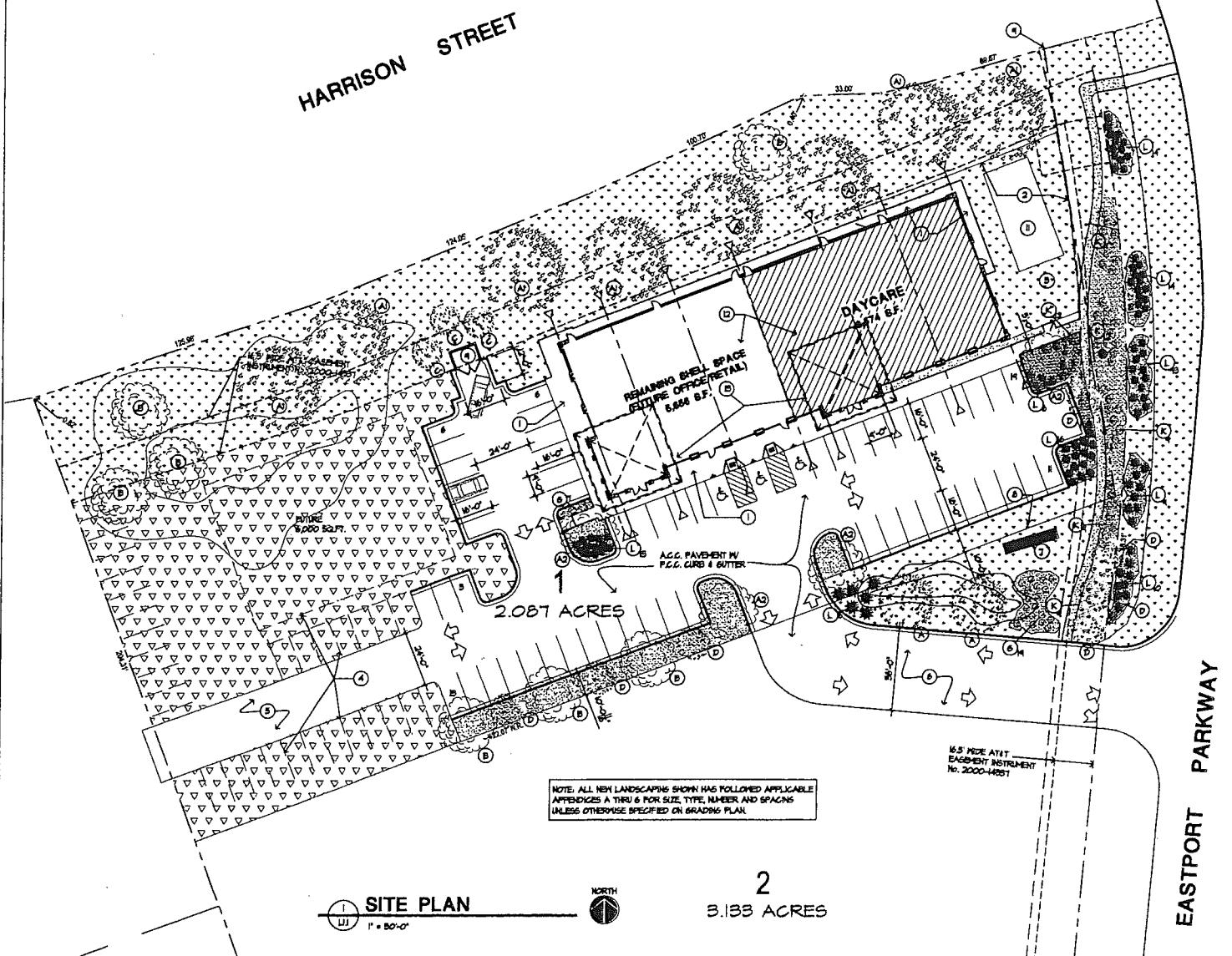
Meyer & Associates, Architects  
1045 N 15th Street • Suite 200  
Omaha, NE 68154  
402.391.1823 (b)  
402.391.1844 (c)

5832 Merriville Street, 2nd Floor  
Shawnee, KS 66216  
913.825.1506 (b)  
913.825.1506 (c)  
www.meyerarchitects.com

## SOUTHPORT PLAZA

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

CONSTRUCTION DOCUMENTS FOR:



### GENERAL NOTES:

- ALL DIMENSIONS, ELEVATIONS, & CONDITIONS SHALL BE FIELD VERIFIED IN CIVIL DRAWINGS PRIOR TO COMMENCING WORK.
- LANDSCAPED AREAS DESIGNATED TO BE IRRIGATED BY UNDERGROUND SPRINKLER SYSTEM SHALL BE DESIGNED BY OTHERS. VERIFY LOCATIONS IN PLAN.
- WORK REQUIRED TO EXECUTE THE PLANTING WORK SHALL INCLUDE PURCHASE ALL NECESSARY EQUIPMENT, MATERIAL, AND LABOR.
- PROVIDE TREES AND SHRUBS FOR THE TYPE AND SIZE INDICATED BY THE "LANDSCAPE SCHEDULE".
- THE OWNER RESERVES THE RIGHT TO INSPECT AND TAG STOCK AT THE PLACE OF SHIPMENT AND REJECT ANY TREES AND SHRUBS AT THE PLANT SITE IF NOT PLANTED IN CONFORMANCE WITH REQUIREMENTS FOR NAME, VARIETY, SIZE AND QUALITY.
- DETERMINE LOCATION OF ALL UNDERGROUND UTILITIES. PERFORM WORK IN A MANNER WHICH WILL AVOID POSSIBLE DAMAGE. HAND EXCAVATE AS REQUIRED TO AVOID POSSIBLE DAMAGE.
- PLANTING METHODS SHALL BE IN ACCORDANCE WITH APPROVED LOCAL HORTICULTURAL PRACTICES.
- GUARANTEE TREES AND SHRUBS FOR A PERIOD OF ONE (1) FULL GROWING SEASON AGAINST DEFECTS INCLUDING DEATH AND UNSATISFACTORY GROWTH, EXCEPT FOR DEFECTS RESULTING FROM NEGLECT BY OWNER OR AGGRESSION OR DAMAGE BY OTHERS.
- PROVIDE 2" LAYER OF NO-BLOW® CEDAR MULCH IN ALL SHRUB BEDS.
- ALL AREAS DESIGNATED AS SOIL ON PLAN SHALL BE SODDED. SOIL SHALL BE STATE CERTIFIED AND FUSION IN TYPE.
- ALL AREAS DESIGNATED AS SEED ON PLAN SHALL BE FUSION IN TYPE. SEE PLAN FOR LOCATIONS.
- LAWN IRRIGATION SUBCONTRACTOR SHALL SUPPLY PRESSURE RELIEF VALVE AND BACKFLOW PREVENTER IN PIT OUTSIDE OF BUILDING. LAWN IRRIGATION METER AND WATER LINE STUB-OUT ARE LOCATED FROM THE MAIN BUILDING IN MECH / UTILITY ROOM (SEE PLANS).
- COORDINATE THE LOCATION OF ALL TREES & BUSHES BY OWNER.

### LANDSCAPE SCHEDULE

MARK	SCIENTIFIC NAME	HEIGHT	SPREAD	EXPOSURE		NL	SPACING	COUNT	NOTES	
				BUN	SHADE					
(A)	DECIDUOUS TREE - AUTUMN PURPLE ASH	65'-0"	25'-0"	X		5' CAL	-	-	2	VERIFY LOCATION
	<i>FRAXINUS AMERICANA AUTUMN PURPLE</i>									MTH OWNER
(A)	NORTHERN RED OAK	50'-0"	40'-0"	X		5' CAL	-	-	6	VERIFY LOCATION
	<i>QUELGAS BOREALIS</i>									MTH OWNER
(A)	SHADEMASTER HONEYLOCUST	30'-0"	25'-0"	X	X	5' CAL	-	-	4	VERIFY LOCATION
	<i>'SHADEMASTER'</i>									MTH OWNER
(B)	Sycamore	50'-0"	25'-0"	X		5' CAL	-	-	7	VERIFY LOCATION
	<i>PLATANUS OCCIDENTALIS</i>									MTH OWNER
(C)	SHADBUSH SERVICEBERRY	15'-0"	15'-0"	X	X	2 1/2' CAL	-	-	5	VERIFY LOCATION
	<i>AMELANCHIER CANADENSIS</i>									MTH OWNER
(D)	CRAB, SPRING SNOW TREE	20'-0"	15'-0"	X	X	2 1/2' CAL	-	-	7	VERIFY LOCATION
	<i>MALUS SPRING SNOW</i>									MTH OWNER
(E)	NOT USED									
(F)	NOT USED									
(G)	GOLDPLANE SPIREA	8'-0"	8'-0"	X	X	2 6' AL	-	-	26	VERIFY LOCATION
	<i>SPRAVA 'GOLDPLANE'</i>									MTH OWNER
(H)	NOT USED									
(I)	NOT USED									
(J)	KNOCKOUT ROSE	4'-0"	4'-0"	X	X	2 6' AL	-	-	60	VERIFY LOCATION
	<i>ROSA KNOCKOUT</i>									MTH OWNER
(L)	STELLA DORY DAYLILY	3'-0"	3'-0"	X	X	1 6' AL	-	-	108	VERIFY LOCATION
	<i>HEMEROCALLIS STELLA DORY</i>									MTH OWNER

### SITE ELEMENTS LEGEND

- POURED CONCRETE WALKWAY
- 5' H. HIGH AMERISTAR ECHLON PLUS "MAJESTIC" STYLE ALUMINUM FENCE W/ GATE
- 24' M. 2-WAY TRAFFIC LANE TO NEAREST ADJACENT LOT
- 8' W. ENTRANCE DRIVE
- MONUMENT SIGN
- FLAG POLE W/ USA AND/OR STATE FLAG
- TRASH ENCLOSURE - MATCH SECONDARY BUILDING MATERIALS USED ON BUILDINGS
- SIGHT DISTANCE EASEMENT LINE - SEE CIVIL
- FUTURE PLAYGROUND EQUIPMENT BY OWNER
- ROOF CONSISTS OF A 1/4-12 SLOPE, WHITE, FULLY-ADHERED MEMBRANE ROOF SYSTEM W/ POLY-BOO INSULATION OVER METAL DECK AND BUR. LOSTS
- 6-12 SLOPE, STANDING SEAM METAL ROOF ENTRY TOWERS - SEE ELEVATIONS

### GRASS SYMBOL LEGEND:

AREA TO RECEIVE BLUE GRASS & FESCUE SOD & UNDERGROUND IRRIGATION

AREA TO RECEIVE BLUE GRASS & FESCUE SEED & STABILIZATION FABRIC

AREA TO RECEIVE MULCH & UNDERGROUND IRRIGATION

### LOT 1 INFORMATION

LOT AREA	OCCUPANCY TYPE(S)	BUILDING AREA	BUILDING / LOT COVERAGE %	PARKING REQ./ACTUAL	ACCESSIBLE PARKING	REQ'D. PARKING RATIO'S
LOT 1 2.087 ACRES 10,405.72 S.F.	GENERAL RETAIL - M DAYCARE - E	12230 S.F. 6574 - DAYCARE 5,856 - RETAIL SHELL	18%	56/56	5	1:200 - GENERAL RETAIL 1 PER EMPLOYEE PLUS 1 PER CHILD 1:1200 - DAYCARE 1 PER CHILD 1:1200 - DAYCARE

EXHIBIT 14B



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