

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JUNE 15, 2010 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
APPLICATION FOR CUP APPROVAL — LOTS 2, 3 & 12, CRESTVIEW HEIGHTS (Lots 2 and 3 have been replated as Lot 1, Crestview Heights Replat 1)	◆RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A public hearing has been scheduled and a resolution prepared for Council to consider an application for a Conditional Use Permit for modifications to an existing multi-family development on Lots 2, 3 (replated as Lot 1, Crestview Heights Replat 1) and 12, Crestview Heights, generally located south of 74<sup>th</sup> and Harrison.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Approval.

**BACKGROUND**

A public hearing has been scheduled to consider an application for a Conditional Use Permit (CUP) for Lot 1, Crestview Heights Replat 1 and Lot 12, Crestview Heights, known as the Crestview Village apartments, generally located south of 74<sup>th</sup> and Harrison. The application has been submitted by the property owner, Mercy Housing Inc.

The property owner requested a building permit to make several modifications to the Crestview Village complex, including both interior and exterior improvements. Crestview Village is an existing multi-family housing development which was constructed prior to the regulations which require a CUP for multi-family uses in the R-3 District. As such, the property would be considered legally nonconforming under the current zoning regulations. Based on this, the interior modifications are permitted to be completed however Mercy Housing is also proposing to construct a 15,000 s.f. community building for the complex and make other changes to the site. This would expand the nonconformance and therefore requires the approval of a CUP to bring the property into compliance with the current zoning regulations.

A more detailed staff report is attached.

The Planning Commission held a public hearing on May 20, 2010 and voted 7-2 to recommend approval of the Conditional Use Permit for Lots 2, 3 and 12, Crestview Heights, contingent on the conditions noted in the draft CUP. Dissenting votes were cast by Commission members who wanted the applicant to explain the proposed construction activities further and to address the concerns of the neighbors. (The applicant was not present at the hearing.)

**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 MODIFICATIONS TO AN EXISTING MULTI-FAMILY DEVELOPMENT ON LOTS 2 AND 3 HAVING BEEN REPLATED AS LOT 1, CRESTVIEW HEIGHTS REPLAT 1 AND LOT 12, CRESTVIEW HEIGHTS

WHEREAS, The property owner, Mercy Housing, Inc , has applied for a conditional use permit for the purpose of making modifications to an existing multi-family development on lots 2 and 3 having been replated as Lot 1, Crestview Heights Replat 1 and Lot 12 Crestview Heights; 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:

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, for Mercy Housing, Inc for the purpose of making modifications to an existing multi-family development on lots 2 and 3 having been replated as Lot 1, Crestview Heights Replat 1 and Lot 12 Crestview Heights.

PASSED AND APPROVED THIS 15TH DAY OF JUNE 2010.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

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Pamela A. Buethe, CMC  
City Clerk

**CITY OF LA VISTA  
PLANNING DIVISION**

**RECOMMENDATION REPORT #1**

CASE NUMBER:

FOR HEARING OF: May 20, 2010  
REPORT #1:

**I. GENERAL INFORMATION**

**A. APPLICANT:**

Mercy Housing Inc.

**B. PROPERTY OWNER:**

Mercy Housing Inc.

**C. LOCATION:**

74<sup>th</sup> Street and Gertrude Street

**D. LEGAL DESCRIPTION:**

Lots 2, 3 and 12, Crestview Heights, except that part of Lot 12 deeded to Sarpy County.  
(Lots 2 and 3 have been replated to Lot 1, Crestview Heights Replat 1)

**E. REQUESTED ACTION(S):**

Conditional Use Permit

**F. EXISTING ZONING AND LAND USE:**

R-3 - High Density Residential, apartment complex

**G. PURPOSE OF REQUEST:**

To obtain a conditional use permit to allow for addition of a community building to the existing apartment complex.

**H. SIZE OF SITE:**

11.24 acres

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:**

There are 19 apartment buildings located on two sites; site one is southwest of 74<sup>th</sup> and Harrison, and site 2 is southwest of 74<sup>th</sup> and Edna Ct.

**B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**

**1. North:**

Church - R-3 / Restaurant - C-2 (Site 1), Harrison Street; Residential (Site 2)

**2. East:**

72nd Street; Residential - R-1 (Site 1), Church - R-3(Site 2)

3. **South:**  
Residential - R-1 and Park (Site 1), Residential – R-1 (Site 2)
4. **West:**  
Residential - R-1 (Site 1), Vacant Land - R-3 (Site 2)

**C. RELEVANT CASE HISTORY:**

The existing apartment complex was constructed before a Conditional Use Permit was required for this type of development.

**D. APPLICABLE REGULATIONS:**

1. Section 5.08, Zoning Ordinance, regarding the R-3 High Density Residential District.
2. Section 6.02, Zoning Ordinance, regarding Conditional Use Permits.
3. Section 7.06, Zoning Ordinance, regarding minimum parking requirements.

**III. ANALYSIS**

**A. COMPREHENSIVE PLAN:**

The Future Land Use Map of the Comprehensive Plan designates this property for high density residential (Site 1) and medium density residential (Site 2) uses.

**B. OTHER PLANS:**

None.

**C. TRAFFIC AND ACCESS:**

1. Main traffic access to the sites are off of Harrison and 72<sup>nd</sup> Streets, appropriate for development of this type. The project is an existing development with a proposed increase of one apartment unit as the management office which will be moved to the new community building, freeing up space for an additional unit. There should be only a minimal traffic increase as a result of the approval of this CUP.

**D. UTILITIES:**

All utilities are available to the site.

**IV. REVIEW COMMENTS**

1. Lots 2 and 3 were required to be consolidated through the administrative plat process outlined in the Subdivision Regulations. The applicant has completed that process and these lots have been replatted as Lot 1, Crestview Heights Replat 1.
2. The existing impervious area (parking lot) being removed is 4,030 square feet; the proposed impervious area added will be 6,200 square feet. This will not result in an increase of 5,000 square feet or more and therefore a Post Construction Storm Water Management Plan will not be required.
3. The proposed community building should be mainly used by the complex management staff and the tenants of the complex. This restriction has been included in the Conditional Use Permit and accepted by the applicant.
4. The complex does not currently have a conditional use permit. The apartment complex is legally non-conforming as a CUP was not required of multi-family housing developments in the R-3 District at the time it was constructed.

5. Concerns have been voiced by those in the neighborhood about the frequency of calls to the police, lack of control of children, and parking issues surrounding Crestview Heights.

## **V. STAFF RECOMMENDATIONS**

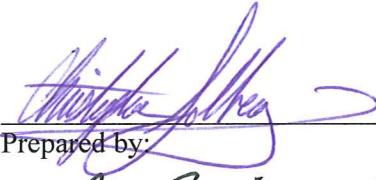
Approval of the Conditional Use Permit.

## **VI. ATTACHMENTS TO REPORT**

1. Aerial Map
2. Site Plan
3. Conditional Use Permit

## **VII. COPIES OF REPORT TO**

1. Applicant
2. Brock Beran, The Schemmer Associates
3. Public Upon Request

  
\_\_\_\_\_  
Prepared by:  
 6-10-10  
Community Development Director      Date



**City of La Vista  
Conditional Use Permit**

**Conditional Use Permit for Crestview Village Apartments**

This Conditional Use Permit issued this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska (“City”) to, Mercy Housing, Inc. (“Owner”), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner wishes to rehabilitate and continue the operation a multiple family dwelling complex to be known as Crestview Village upon the following described tract of land within the City of La Vista zoning jurisdiction:

Lots 2, 3, and 12, except that part of lot 12 deeded to Sarpy County, as contained in warranty deed, filed October 13, 1995, as instrument no. 95-17829, in Crestview Heights, an addition to the City of La Vista, in Sarpy County, Nebraska.

WHEREAS, Owner has applied for a conditional use permit for the purpose of addition to and continuing operation of a multiple family dwelling complex; 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 multiple family dwelling complex, 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 has been provided to the City and is attached to the permit as Exhibit “A”.
  - b. 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.
  - c. The Community Building shall be limited to the use of the tenants. The building cannot be utilized for a non tenant-based activity.
  - d. The existing number of off-street parking spaces does not adhere to the current La Vista Zoning Ordinance for a multi-family complex of Crestview Village’s size. No additional residential units may be constructed without increasing the number of off-street parking spaces needed to meet the regulational requirements for the entire complex. Additionally, no off-street parking spaces may be

removed, increasing the level of non-compliance, without prior approval from the City.

- e. Vehicle repair, other than emergency maintenance such as changing a tire, shall not be allowed in the parking lots shown on Exhibit "A".
- f. 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.
- g. 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.
- h. 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. 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.

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 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.

6. If the permitted use is not commenced within one (1) year from \_\_\_\_\_, 2010, 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 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:** Aruna Doddapaneni  
Mercy Housing, Inc.  
1999 Broadway, Ste 100  
Denver, CO 80202  
(303) 830-3414

**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:

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Pamela A Buethe, CMC  
Deputy City Clerk

**CONSENT AND AGREEMENT**

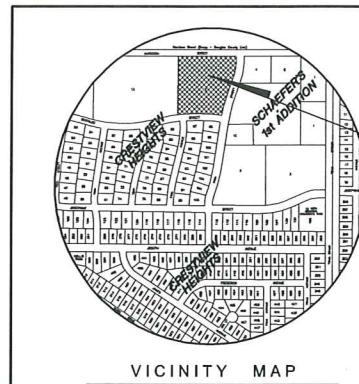
The undersigned does hereby consent and agree to the conditions of this permit and that the terms hereof constitute an agreement on the part of the undersigned to fully and timely perform each and every condition and term hereof, and the undersigned does hereby warrant, covenant and agree to fully and timely perform and discharge all obligations and liabilities herein required by owner to be performed or discharged.

Owner:

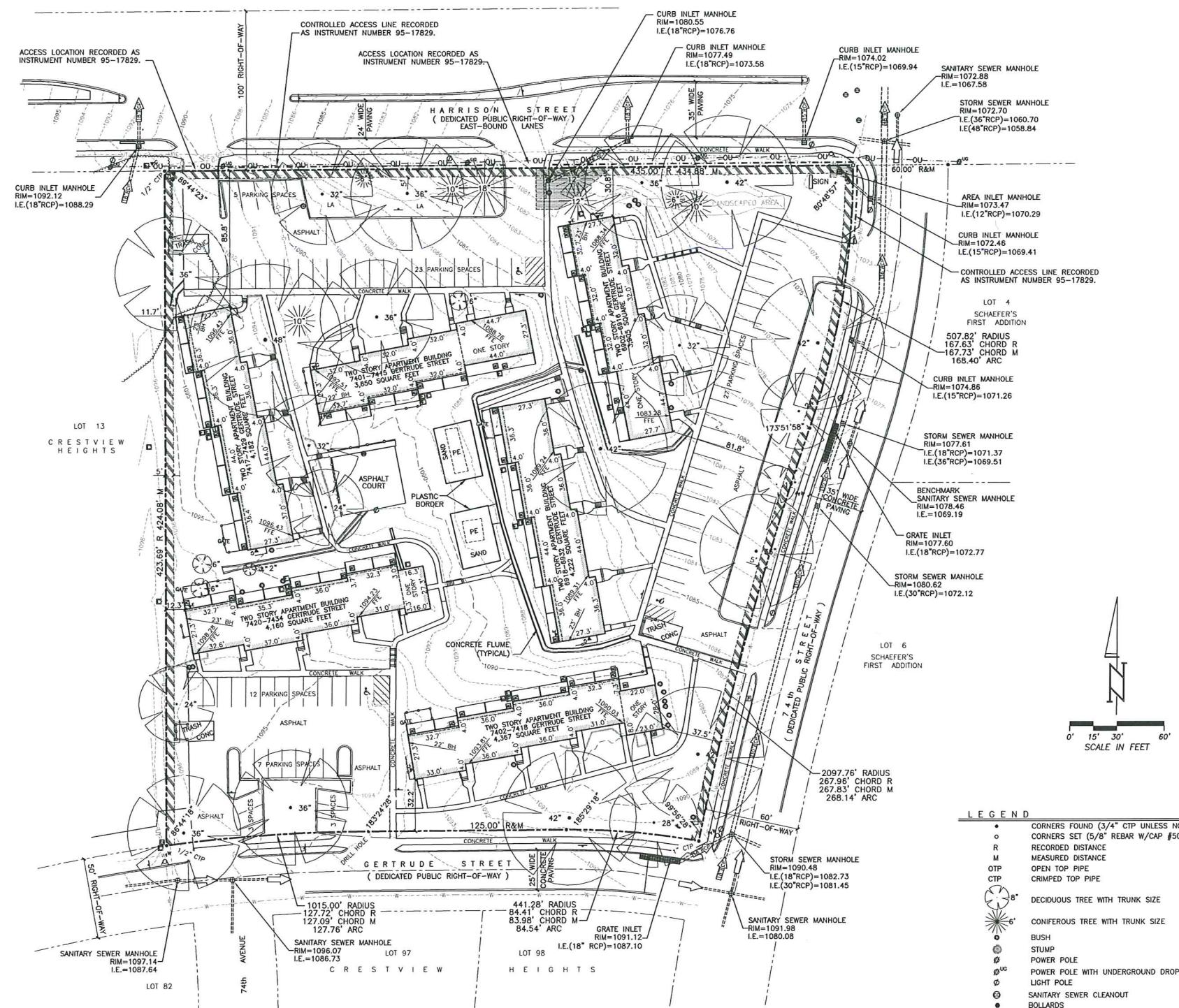
By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



VICINITY MAP



LEGAL DESCRIPTION

LOTS TWO (2), THREE (3) AND TWELVE (12), EXCEPT THAT PART OF LOT TWELVE (12) DEeded TO SARPY COUNTY, AS CONTAINED IN WARRANTY DEED, FILED OCTOBER 13, 1995, AS INSTRUMENT NO. 95-17829, IN CRESTVIEW HEIGHTS, AN ADDITION TO THE CITY OF LA VISTA, IN SARPY COUNTY, NEBRASKA.

CERTIFICATION

TO MERCY CRESTVIEW VILLAGE, A NEBRASKA NONPROFIT CORPORATION, AND  
CHICAGO TITLE INSURANCE COMPANY,

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE MINIMUM STANDARD SETTLEMENTS FOR ALTA/ACSM AND TITLE SURVEY JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 1992. THIS INCLUDES ITEMS 1, 2, 3, 4, 5, 6, 7(A), 7(B), 8, 9, 10, 11(A), 11(B), 12, 14, 15, 17 AND 18 OF TABLE "A" THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF NEBRASKA, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

NEBRASKA  
REGISTERED  
LAND SURVEYOR

L.S. 477

MICHAEL M. BROYLES

RICHARD M. BROYLES

NEBRASKA L.S. 477

AUGUST 31, 2009

DATE:

NOTES

1. PHYSICAL ITEMS DESCRIBED IN THE LEGEND ARE NOT DRAWN TO SCALE FOR THE SAKE OF CLARITY AND ARE SUBJECT TO ANY SUBSEQUENT INACCURACIES.
2. THE PROPERTY LIES WITHIN A DESIGNATED ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.25 ANNUAL CHANCE FLOODPLAIN) PER THE SARPY COUNTY, NEBRASKA AND INCORPORATED AREAS FLOOD INSURANCE RATE MAP NUMBER 31153C00600 DATED DECEMBER 2, 2005.
3. LOT 12 CONTAINS 163.543 SQUARE FEET OR 3.75 ACRES MORE OR LESS.  
LOTS 2 AND 3 CONTAIN 326.139 SQUARE FEET OR 7.49 ACRES MORE OR LESS.
4. THE PROPERTY IS ZONED R-3, (HIGH DENSITY RESIDENTIAL DISTRICT) PER THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA. FOR THE ZONING, SEE THE CITY OF LA VISTA ZONING HAS THE FOLLOWING MINIMUM SETBACK REQUIREMENTS:  
FRONT YARD 30 FEET  
SIDE YARD 10 FEET  
REAR YARD 30 FEET
5. THE BUILDING AREAS WERE CALCULATED USING EXTERIOR BUILDING DIMENSIONS MEASURED AT GROUND LEVEL.
6. THERE ARE 80 STANDARD PARKING SPACES AND 3 HANDICAPPED PARKING SPACES LOCATED ON LOT 12 AND 164 STANDARD PARKING SPACES AND 8 HANDICAPPED PARKING SPACES LOCATED ON LOTS 2 AND 3.
7. ELEVATIONS AND CONTOURS SHOWN ON THIS DRAWING ARE BASED ON NAVD 1988.
8. THE LOCATIONS AND SIZES OF THE UNDERGROUND UTILITIES SHOWN ON THIS DRAWING ARE BASED ON RECORDS MADE AVAILABLE BY THE OWNERS OF THE UTILITIES AND THE LOCATIONS MARKED ON THE SITE BY REPRESENTATIVES OF THE UTILITY COMPANIES. THE EXACT LOCATIONS AND SIZES MAY VARY WHEN THE UTILITIES ARE EXPOSED. THE FOLLOWING COMPANIES RESPONDED TO "DREDGE" HOMELINE OF NEBRASKA REQUEST TO LOCATE UNDERGROUND UTILITIES REFERENCE NO. 2314788 AND NO. 2314790.  
OMAHA PUBLIC POWER DISTRICT (UNDERGROUND)... MARKED THEIR FACILITIES AS SHOWN HERON METROPOLITAN UTILITIES DISTRICT... PROVIDED DRAWINGS OF THEIR FACILITIES AS SHOWN CITY OF OMAHA..... REPORTED TO BE CLEAR OF THEIR FACILITIES AT THIS SITE MAGLAN..... REPORTED TO BE CLEAR OF THEIR FACILITIES AT THIS SITE INNOVATIVE DATA..... REPORTED TO BE CLEAR OF THEIR FACILITIES AT THIS SITE QWEST LOCAL..... MARKED THEIR FACILITIES AS SHOWN HERON
9. CONCRETE FLUMES DRAIN UNDER SIDEWALKS AT THEIR INTERSECTIONS.
10. THE DRAWING SHOWS OR NOTES THE EASEMENTS LISTED UNDER SCHEDULE B-SECTION 2 OF CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE NO. NBU 21901476, EFFECTIVE DATE MAY 27, 2009 AT 8:00 AM. THE DOCUMENTS SHOWN HEREON REFER TO THIS COMMITMENT BOOK AND PAGE NUMBERS AND INSTRUMENT NUMBERS SHOWN HEREON REFER TO DOCUMENTS IN THE OFFICE OF THE SARPY COUNTY REGISTER OF DEEDS.
- ITEM E. DEDICATION FOR STREET WIDENING RECORDED IN BOOK 38 AT PAGE 572 LIES WHOLLY WITHIN THE EXISTING 72ND STREET RIGHT-OF-WAY AND DOES NOT AFFECT THE PROPERTY.
- ITEM F. AFFIDAVIT OF CORRECTION RECORDED IN BOOK 43 AT PAGE 174 DOES NOT PERTAIN TO EASEMENTS.
- ITEM G. STREET DEDICATION RECORDED IN BOOK 44 AT PAGE 475 IS THE 50.00 FOOT RIGHT-OF-WAY DESIGNATED AS GERTRUDE STREET ADJOINING LOT 12 ON THE SOUTH.
- ITEM H. EASEMENT GRANTED TO OMAHA PUBLIC POWER DISTRICT AND TO NORTHWESTERN BELL TELEPHONE COMPANY RECORDED IN BOOK 43 AT PAGE 454 FOR UTILITY SERVICE TO THE PROPERTY IS DESCRIBED AS 5 FOOT ON EACH SIDE OF THEIR RESPECTIVE ENTRENCHED CABLES BUT ITS LOCATION IS UNDEFINED AND NOT PLOTTABLE.
- ITEM I. THE PROPERTY IS SUBJECT TO THE TERMS AND CONDITIONS OF ORDINANCE NO. 116, ANNEXING LOTS 1 THROUGH 12, CRESTVIEW, TO THE CITY OF LA VISTA.
- ITEM L. THE PROPERTY IS SUBJECT TO THE TERMS AND CONDITIONS IN MEMORANDUM OF AGREEMENT WITH COX COMMUNICATIONS OMAHA INC. TO PROVIDE SERVICE RECORDED AS INSTRUMENT NO. 2000-2473.
11. THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
12. THERE ARE NO CHANGES IN STREET RIGHT-OF-WAY LINE EITHER COMPLETED OR PROPOSED AND NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDE WALK CONSTRUCTION OR REPAIRS.
13. THERE IS NO OBSERVABLE EVIDENCE OF SITE USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.



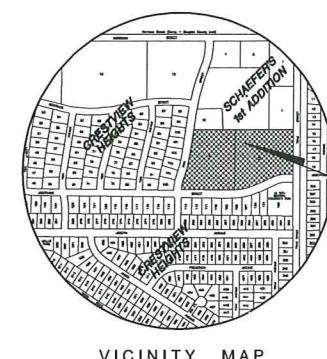
THOMPSON, DREESSEN & DORNER, INC.  
Consulting Engineers & Land Surveyors  
10836 OLD MILL ROAD OMAHA, NEBRASKA 68154  
P: 402.330.8860 F: 402.330.5866 www.TD2CO.COM

2  
EXHIBIT A-1

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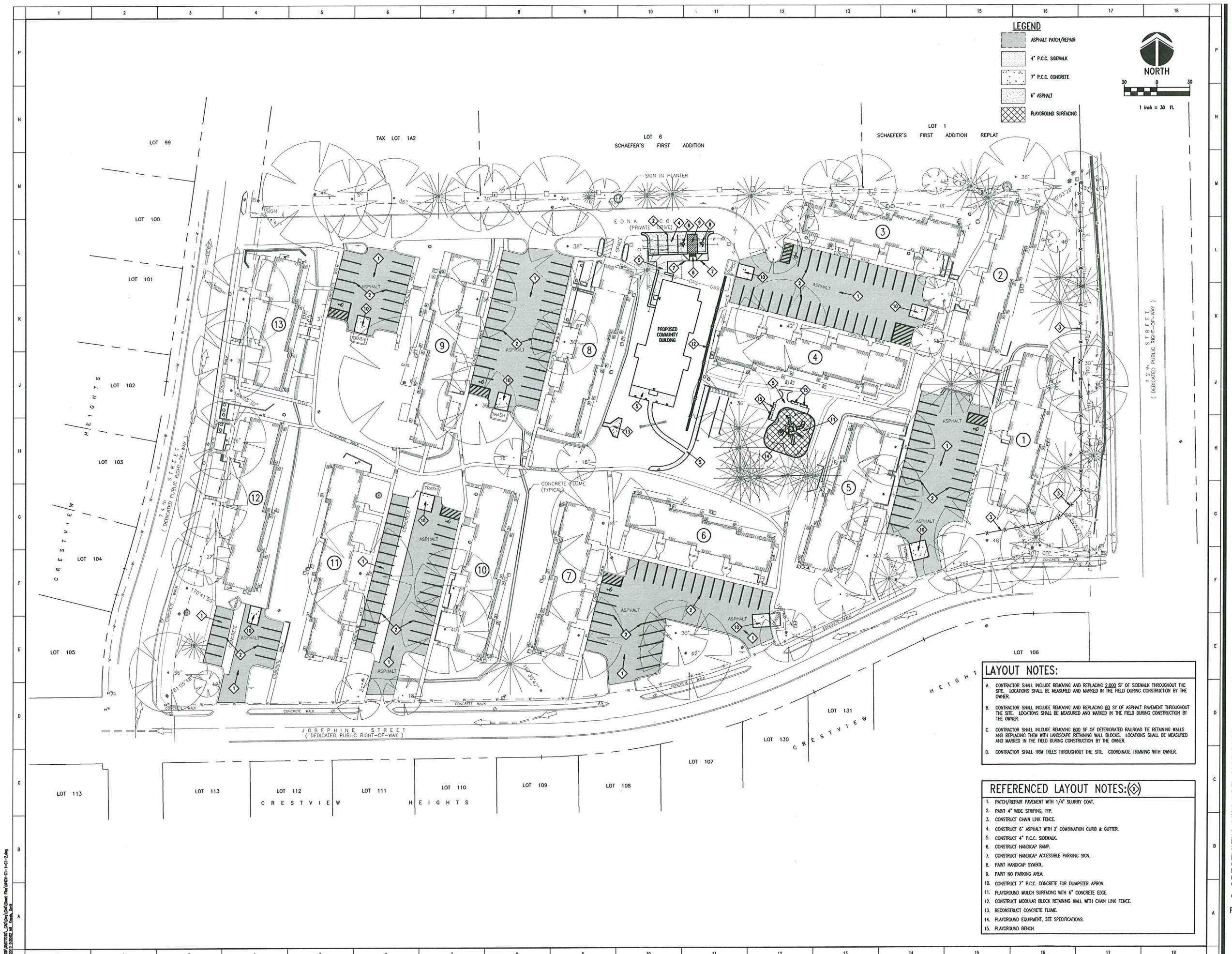


EXHIBIT A-2



ITEM F  
UTILITY EASEMENT GRANTED TO OMAHA PUBLIC POWER DISTRICT  
AND TO NORTHWESTERN BELL TELEPHONE COMPANY, THEIR  
SUCCESSORS AND ASSIGNS IN THE FINAL PLAT DEDICATION OF  
CRESTVIEW HEIGHTS RECORDED IN BOOK 5 AT PAGE 26.

• CORNERS FOUND (3/4" CTP UNLESS NOTED)	■ UTILITY PEDESTAL	■ AREA INLET
○ CORNERS SET	■ ELECTRICAL PEDESTAL	I.E. INVERT ELEVATION
R RECORDED DISTANCE	■ TELEPHONE PEDESTAL	FFE FINISHED FLOOR ELEVATION
M MEASURED DISTANCE	■ CABLE TV PEDESTAL	■ CURB INLET
OTP OPEN TOP PIPE	■ ELECTRIC METER	■ GRATE INLET
CTP CRIMPED TOP PIPE	■ SIGN	■ WATER LINE
8" DECIDUOUS TREE WITH TRUNK SIZE	■ HANDICAPPED PARKING SPACE	— GAS LINE
6" CONIFEROUS TREE WITH TRUNK SIZE	■ SEWER MANHOLE	—OU— OVERHEAD UTILITY LINE
● BUSH	■ AIR CONDITIONER	—UE— UNDERGROUND ELECTRICAL LINE
● STUMP	■ FULL BOX	—UT— UNDERGROUND TELEPHONE LINE
● POWER POLE	■ WATER MANHOLE	—W— RETAINING WALL
● POWER POLE WITH UNDERGROUND DROP	■ FIRE HYDRANT	○ WOODEN FENCE
● LIGHT POLE	■ WATER VALVE	○ CHAIN LINK FENCE
● SANITARY SEWER CLEANOUT	■ BASKETBALL POLE	—G— PIPE SIZE AND DIRECTION OF FLOW
● BOLLARDS	■ GAS VALVE	■ TRAFFIC SIGNAL BOX
PE PLAYGROUND EQUIPMENT AREA		LA LANDSCAPED AREA



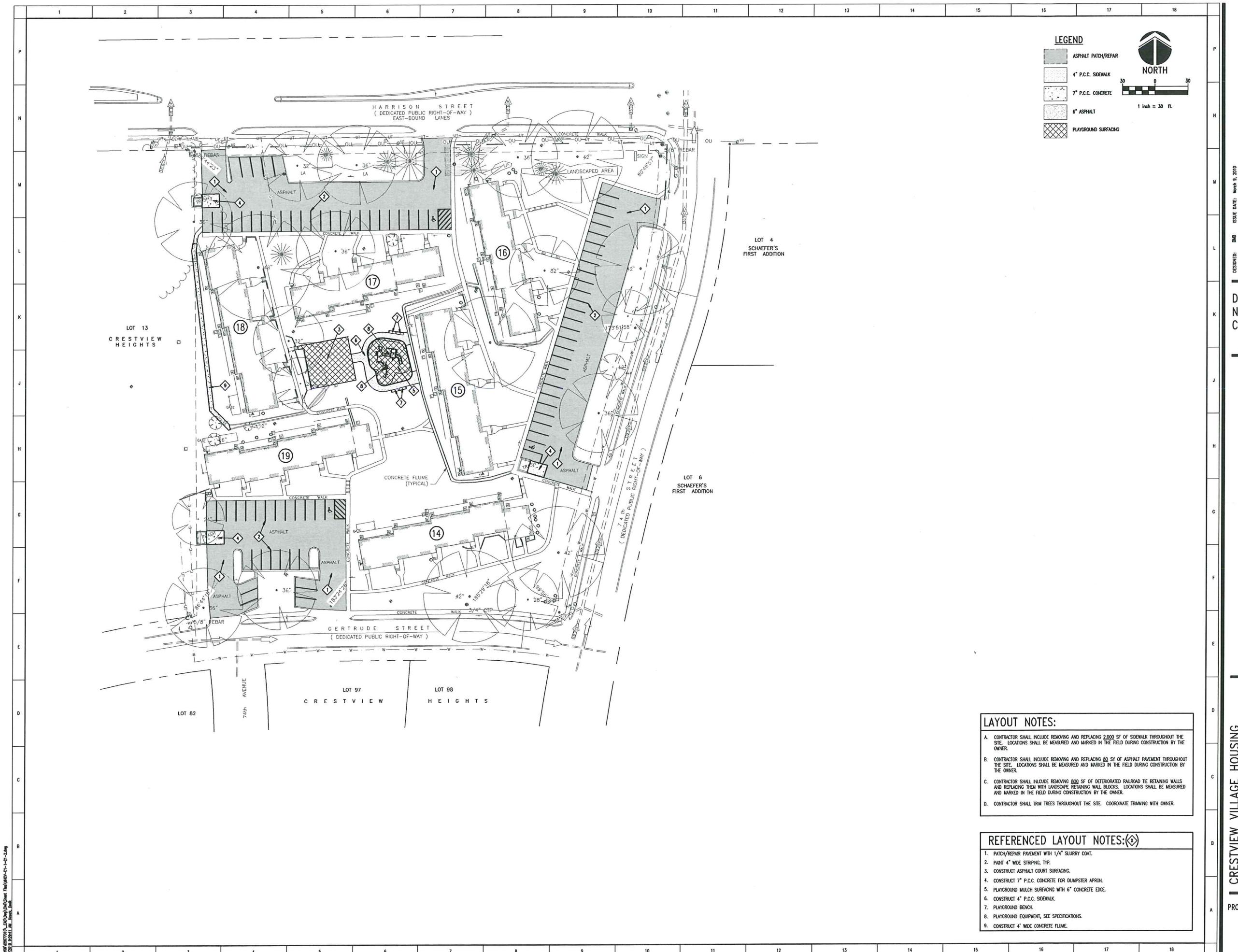
Design Development  
not for  
construction

The logo for Schemmer Engineers Planners Architects is a blue rectangular border containing the company name in a stylized font. Inside the border, there is a red rectangular stamp with the text 'APR 2 2010' in a bold, sans-serif font.

# EXHIBIT A-3

MERCY HOUSING  
1500 EDNA COURT  
OMAHA, NEBRASKA  
AYOUT PLAN

JECT NO.: 05677.010



## Design Development for Instruction

The logo for Schemm Engineering Architects & Planners. It features the company name in a bold, sans-serif font. The 'E' in 'Schemm' is stylized with a horizontal line through it. Below the name, the words 'ARCHITECTS | ENGINEERS | PLANNERS' are written in a smaller, all-caps font. The entire logo is set against a background of blue and white architectural drawings, including a floor plan and a structural cross-section.

MERCY HOUSING  
3500 EDNA COURT  
LA VISTA, NEBRASKA

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AYOUT PLAN

PROJECT NO.: 05677.010

#### AYOUT NOTES:

- A. CONTRACTOR SHALL INCLUDE REMOVING AND REPLACING 2,000 SF OF SIDEWALK THROUGHOUT THE SITE. LOCATIONS SHALL BE MEASURED AND MARKED IN THE FIELD DURING CONSTRUCTION BY THE OWNER.
- B. CONTRACTOR SHALL INCLUDE REMOVING AND REPLACING 80 SY OF ASPHALT PAVEMENT THROUGHOUT THE SITE. LOCATIONS SHALL BE MEASURED AND MARKED IN THE FIELD DURING CONSTRUCTION BY THE OWNER.
- C. CONTRACTOR SHALL INCLUDE REMOVING 800 SF OF DETERIORATED RAILROAD RETAINING WALLS AND REPLACING THEM WITH LANDSCAPE RETAINING WALL BLOCKS. LOCATIONS SHALL BE MEASURED AND MARKED IN THE FIELD DURING CONSTRUCTION BY THE OWNER.
- D. CONTRACTOR SHALL TRIM TREES THROUGHOUT THE SITE. COORDINATE TRIMMING WITH OWNER.

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**REFERENCED LAYOUT NOTES: (x)**

1. PATCH/REPAIR PAVEMENT WITH 1/4" SLURRY COAT.
2. PAINT 4" WIDE STRIPING, TYP.
3. CONSTRUCT ASPHALT COURT SURFACING.
4. CONSTRUCT 7" P.C.C. CONCRETE FOR DUMPSTER APRON.
5. PLAYGROUND MULCH SURFACING WITH 6" CONCRETE EDGE.
6. CONSTRUCT 4" P.C.C. SIDEWALK.
7. PLAYGROUND BENCH.
8. PLAYGROUND EQUIPMENT, SEE SPECIFICATIONS.