ORDINANCE NO. 1306

AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, AMENDING THE ZONING DISTRICT MAP OF THE CITY OF LA VISTA, NEBRASKA; ESTABLISHING STANDARDS AND CONDITIONS FOR DEVELOPMENT UNDER THE FINAL PLANNED UNIT DEVELOPMENT PLAN; TO PROVIDE FOR SEVERABILITY; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA:

Section 1. The Planned Unit Development plan for Woodhouse Place (the "Woodhouse PUD") is hereby adopted for the following described real estate, to wit:

LEGAL DESCRIPTION

See Exhibit "A" attached hereto and made a part hereof.

Section 2. The Woodhouse PUD is hereby adopted to provide for the development of planned automotive dealerships that will service not only the City, but also the surrounding market area. The regulations contained in this Ordinance will facilitate development in a planned, orderly fashion so as to protect the public health, safety, and general welfare. All grading, installation of infrastructure, development and build out shall be in strict accordance with the provisions of this Ordinance, except as shall be amended by the City Council in the required manner. The underlying commercial zoning district regulations shall continue to be applicable, except as provided for in this Ordinance and the attached exhibits.

Section 3. Definitions

Unless a contrary intent is clearly indicated herein, the following words and phrases shall have the following meanings, regardless of whether or not capitalized:

A. "Automotive Sales" shall mean the storage and display for sale or lease, and the actual sale or lease, of new or used motor vehicles, or any type of trailer (provided the trailer is unoccupied) at any one time, and where repair or body work is incidental to the operation of the new or used motor vehicle sales or leasing operations. Automotive sales shall include all motor vehicle retail sales and leases including cars, SUV's, trucks, vans, recreational vehicles, boats, motorcycles or other similar motorized transportation vehicles.

B. "Developer" shall mean LB Southwest, LLC, their successors and assigns.

C. "Gateway Corridor District" or "La Vista Gateway Corridor District" shall mean the City's overlay zoning district establishing basic site and building development criteria to be implemented within the boundaries of the overlay district.

D. "Open Space" shall mean anything on the site except buildings, parking lot and vehicular circulation, generally pervious, but may include well landscaped pedestrian places, pools, pool decks and roof gardens.

E. "Woodhouse PUD" shall mean the planned unit development that is subject to this Ordinance, as developed and approved, that outlines certain provisions for the development of the Subdivision and its uses. Such plan shall consist of the final plat, design guidelines, landscaping, etc.

F. "Plat" or "the Plat," shall mean the final plat of the Subdivision approved by the City Council or an administrative plat approved by staff.

G. "Woodhouse Place Design Guidelines" shall mean the specific guidelines jointly developed, agreed to and amended by Developer and City for the Subdivision for the purpose, among others, of creating cohesiveness and ensure quality of materials, aesthetics and maintenance upon which all tenants and owners can
ordinance record

rely and to ensure view continuity and creation of a sense of place through the use of common elements of site and architecture. A copy of the Woodhouse Place Design Guidelines is attached to this Woodhouse PUD as Exhibit "C".

H. "Subdivision" shall mean the 30.67 acres of land described in Exhibit "A" hereto, to be known as "Woodhouse Place."

section 4. parcel identification map

Attached hereto and made a part of Woodhouse PUD for parcel delineation is the Parcel Identification Map for the Woodhouse PUD marked as Exhibit "B".

section 5. conceptual site plan

A conceptual site plan for each parcel shall be submitted to the City for approval prior to any lot development within said parcel.

section 6. building design guidelines and criteria

A copy of the Woodhouse Place Design Guidelines in the form approved and amended by the City is attached to this Woodhouse PUD as Exhibit "C". All applications shall adhere to requirements of the approved Woodhouse PUD and Design Guidelines. Prior to issuance of a building permit, the City, Developer and the applicant shall have mutually agreed upon a specific design plan that complies with such criteria. The Woodhouse Place Design Guidelines shall take the place of Appendix A, B, and C of the City's Commercial Building Design Guide and Criteria dated September 17, 2013.

section 7. conditions

All uses within the Subdivision shall adhere to the underlying zoning district except as herein provided.

A. General Conditions

In addition, the following general site plan criteria shall be integrated into and made part of the Woodhouse PUD.

i. All subdivisions, public streets, public street rights-of-way and general development shall adhere to the standards and design criteria set forth in the La Vista Subdivision Regulations and the most current design standards adopted by the City of La Vista pertaining thereto unless otherwise stated within this Woodhouse PUD and Woodhouse Place Design Guidelines.

ii. Unless otherwise specified herein, the development of the Woodhouse PUD shall comply with the applicable La Vista Zoning District Regulations or any other applicable City Codes.

B. Land Use Design Criteria

Unless provided otherwise in this Woodhouse PUD, all general use regulations, performance standards and provisions set forth in the La Vista Zoning Ordinance for the appropriate commercial zoning district shall apply to any development within Lots 1 and 2. The negative elements of such uses as loading docks, heating, ventilation, or air conditioning (HVAC) units, or similar electrical or mechanical appurtenances shall be designed to be screened and buffered from view by the general public through the use of architectural features or earth berming and landscaping.

i. The intent of the design and layout of Lots 1 and 2, Woodhouse Place is to develop the site for motor vehicle sale and lease uses, with service and repair as an accessory use.

a. Building Height. Permitted building heights shall be the same as those listed in the C-3 Highway Commercial / Office Park District
regulations unless otherwise approved by the City Council as part of a PUD Plan.

b. Building Setbacks. Building setbacks shall be the same as those listed in the C-3 Highway Commercial / Office Park District regulations unless otherwise approved by the City Council as part of a PUD Plan.

c. Landscaping. Landscaping along Highway 50 (South 144th Street) and Giles Road and throughout the Subdivision shall be consistent with the PUD Site Plan map set, Exhibit "B" and the Woodhouse Place Design Guidelines, Exhibit "C". A complete and detailed landscape plan is required prior to building permit approval to assure compliance with the vision of Woodhouse Place and its approved guidelines.

d. Signage. All signs identifying the project may be permitted with approval of a sign permit based upon the adopted sign regulations except as modified herein.

C. Woodhouse Place Design Guidelines

The Woodhouse Place Design Guidelines take the place of Gateway Corridor District Design Guideline dated September 17, 2013.

D. Access and Off-Street Parking

i. Access. Driveways shall be located so that no undue interference with the free movement of road traffic will result, to provide the required sight distance, and to provide the most-favorable driveway grade. Access points within the development shall be limited to what is shown on the final plat and subdivision agreement. Any deviation from this shall require the approval of the City.

ii. Off-Street Parking. Parking on lots in Lots 1 and 2 should be provided based on the aggregate ratio of one (1) off-street parking spaces per five hundred (500) square feet of gross floor area of improvements constructed on each lot, separate from those spaces dedicated to automotive sales inventory, unless off-site/public parking is utilized with approval of the city.

E. Signage

All signs may be permitted with approval of a sign permit based upon the adopted sign regulations, except as modified herein. To the extent that the provisions of Woodhouse PUD conflict with or are more restrictive than similar provisions provided in the La Vista Zoning Ordinance, the provisions of the Woodhouse PUD shall control.

This Ordinance recognizes that because of the size and scope of the project, and because access will be obtained to the development via large public arterial streets, the project has an extraordinary need for flexibility in the signage regulations applicable thereto. See the PUD Site Plan map set, Exhibit "B", for proposed site signage approximate locations.

i. Center Identification Signs. Free standing buildings on Lot 1 may be allowed to advertise on one Center Identification Sign as depicted on Lot 2 of the PUD Site Plan.

ii. Monument Signs. Free-standing buildings on Lot 1 may be allowed to advertise on Monument Signs as depicted on Lot 2 of the PUD Site Plan. The overall development shall be limited to no more than four monument signs, one for each building located on Lot 1 as depicted on the PUD Site Plan.

iii. Incidental On-Site Directional Signs. Incidental On-Site Directional Signs, such as signs indicating exits, loading areas and parking areas, shall be consistent in design and color, or incorporate aesthetic features compatible with the architecture of the building, and shall not exceed six (6) square feet of sign area per sign.
Section 8. **Severability Clause.** If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, sentence clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section 9. That this Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 4TH DAY OF APRIL, 2017.

CITY OF LA VISTA

[Signature]

Douglas Kindig, Mayor

ATTEST:

[Signature]

Pamela A. Buethe, CMC

City Clerk
EXHIBIT A

Lots 1 and 2, Woodhouse Place located in the N 1/2, NE 1/4, Section 23, Township 14 North, Range 11 East of the 6th P.M. Sarpy County, Nebraska.
LEGAL DESCRIPTION

PART OF TAXLOT 4 (FOUR) LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 14 NORTH, RANGE 11 EAST OF THE 6TH PM, SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT A DRILL HOLE WITH CHISEL "X" AT THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 23;

THENCE SOUTH 45°54' EAST (BEARINGS REFERENCED TO NEBRASKA STATE PLANE NAD83 2016 EPOCH) FOR 33.05 FEET ON THE WEST UNE OF THE EAST HALF OF THE NORTHEAST QUARTER SAID SECTION 23, TO A 5/8" REBAR IN THE SOUTH RIGHT OF WAY OF GILES ROAD;

THENCE NORTH 70°27'01" EAST FOR 1060.53 FEET ON SAID SOUTH RIGHT OF WAY TO A CONCRETE NAIL WITH WASHER STAMPED LS 308 IN THE WEST RIGHT OF WAY UNE OF 144TH STREET;

THENCE SOUTH 87°52'34" WEST FOR 1230.57 FEET ON THE NORTH UNE OF SAID LOT 1, AND ALSO LOT 2, LAKEVIEW SOUTH 2, REPLAT 2, A SUBDIVISION, AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA EXTENDED WEST TO THE WEST UNE OF SAID TAXLOT FOUR (4), TO A 5/8" REBAR WITH 1 1/4" RED PLASTIC CAP STAMPED LS-561 IN THE WEST LINE OF SAID TAXLOT 4, ALSO BEING IN THE WEST UNE OF THE EAST HALF OF THE NORTHEAST QUARTER OF 2ND SECTION 23;

THENCE NORTH 0°30'32" WEST FOR 1060.53 FEET TO THE POINT OF BEGINNING.

CONTAINS 1,320,338 SQUARE FEET OR 30.311 ACRES AS HELD MEASURED.

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAW OF THE STATE OF NEBRASKA.

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAW OF THE STATE OF NEBRASKA.

DATE OF SIGNATURE: 6-30-2016

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1. INTRODUCTION

The Developer of Woodhouse Place and the City of La Vista, Nebraska, jointly have established the following Design Guidelines. These Guidelines have been developed as part of the Master Planning Process to ensure Visual Continuity and the Creation of a Sense of Place through the use of Common Elements of Site and Architecture within the Woodhouse Place Project.

"The Woodhouse Place Design Guidelines take the place of City's Gateway Corridor District Design Guideline dated September 17, 2013. It shall be the City Administrator who shall determine which design criteria is applicable in the event of a conflict between the two documents referenced herein."

The Design Guidelines illustrate a Color Palette, Allowable Building Materials and a Selection of Required Site Amenities. Individual Tenants and Owners shall be required to use these Elements to create a Type of Architecture Characterized by the Developer of Woodhouse Place as Clean and Contemporary.

The criteria contained herein are not intended to restrict imagination, innovation, or variety, but rather to assist in focusing on design principles that can result in creative solutions that will develop a satisfactory visual appearance within the city jurisdiction, preserve taxable values, and promote the public health, safety, and welfare.
2. GEOGRAPHIC AREA AND CRITERIA

It is the intent of the City for this Building Criteria to apply to all property within the Woodhouse Place PUD Overlay District and as a part of the Gateway Corridor District (Overlay District), as shown on the City’s official zoning map.

New construction and modifications to existing buildings, including the structure and the surrounding property, are required to have compliance reviewed through the design review process.
3. DEFINITIONS

Appearance. The outward aspect visible to the public.

Appropriate. Sympathetic, or fitting, to the context of the site and the whole community.

Appurtenances. The visible, functional objects accessory to and part of buildings.

Architectural concept. The basic aesthetic idea of a building, or group of buildings or structures, including the site and landscape development, that produces the architectural character.

Architectural feature. A prominent or significant part or element of a building, structure, or site.

Architectural style. The characteristic form and detail, as of buildings of a particular historic period.

Berm. A raised form of earth to provide screening or to improve the aesthetic character.

City. City of La Vista


Cohesiveness. Unity of composition between design elements of a building or a group of buildings and the landscape development.

Compatibility. Harmony in the appearance of two or more external design features in the same vicinity.

Conservation. The protection and care that prevent destruction or deterioration of historical or otherwise significant structures, buildings, or natural resources.

Cornice. A horizontal molded projection that crowns or completes a building or wall.

Eclectic. Choosing what appears to be the best from diverse sources, systems, or styles.

Exterior building component. An essential and visible part of the exterior of a building.

External design feature. The general arrangement of any portion of a building, sign, landscaping, or structure and including the kind, color, and texture of the materials of such portion, and the types of roof, windows, doors, lights, attached or ground signs, or other fixtures appurtenant to such portions as will be open to public view from any street, place, or way.

Gateway Corridor District. The City’s overlay zoning district establishing basic site and building development criteria to be implemented within the boundaries of the overlay district.

Graphic element. A letter, illustration, symbol, figure, insignia, or other device employed to express and illustrate a message or part thereof.

Harmony. A quality that represents an appropriate and congruent arrangement of parts, as in an arrangement of varied architectural and landscape elements.

Logic of design. Accepted principles and criteria of validity in the solution of the problem of design.

Mechanical equipment. Equipment, devices, and accessories, the use of which relates to water supply, drainage, heating, ventilating, air conditioning, and similar purposes.
**Miscellaneous structures.** Structures, other than buildings, visible from public ways. Examples are: fences, walls, and transformers.

**Proportion.** Balanced relationship of parts of a building, landscape, structures, or buildings to each other and to the whole.

**Scale.** Proportional relationship of the size of parts to one another and to the human figure.

**Screening.** Structure of planting that conceals from view from public ways the area behind such structure or planting.

**Site break.** A structural or landscape device to interrupt long vistas and create visual interest in a site development.

**Street hardware.** Man-made objects other than buildings that are part of the streetscape. Examples are: lamp posts, utility poles, traffic signs, benches, litter containers, planting containers.

**Streetscape.** The scene as may be observed along a public street or way composed of natural or man-made components, including buildings, paving, planting, street hardware, and miscellaneous structures.

**Utilitarian structure.** A structure or enclosure relating to mechanical or electrical services to a building.

**Utility hardware.** Devices such as poles, crossarms, transformers and vaults, gas pressure regulating assemblies, and hydrants that are used for water, gas, oil, sewer, and electrical services to a building or a project.
4. CRITERIA FOR APPEARANCE

I. RELATIONSHIP OF BUILDING TO SITE
   A. The site shall be planned to accomplish a desirable transition from the site to
      the adjoining streetscape and to provide for adequate planting, safe pedestrian
      movement, and parking areas.
   B. Site planning is encouraged to provide an interesting relationship between
      buildings.
   C. Without restricting the permissible limits of the applicable zoning district, the
      height and scale of each building shall be compatible with its site and existing
      (or anticipated) adjoining buildings.
   D. Newly installed utility services, and service revisions necessitated by exterior
      alterations, shall be underground.

II. RELATIONSHIP OF BUILDINGS AND SITE TO ADJOINING AREA
   (OUTSIDE OF SUBDIVISION)
   A. Attractive landscape transition to adjoining properties shall be provided
      where possible.
   B. Harmony in texture, lines, and masses is required. Monotony shall be
      avoided.

III. LANDSCAPE AND SITE TREATMENT
    Landscape elements included in these criteria consist of all forms of planting and
    vegetation, ground forms, rock groupings, water patterns, and all visible
    construction except buildings and utilitarian structures.
    A. Where natural or existing topographic patterns contribute to beauty and utility
       of a development, they shall be preserved and developed. Modification to
       topography will be permitted where it contributes to good appearance. All
       modifications to topography shall be designed to provide varied and more
       natural grading practices. Consistent, even topography that provides an
       engineered feel is not acceptable.
    B. Grades of walks, parking spaces, terraces, and other paved areas shall provide
       an inviting and stable appearance for walking and, if seating is provided, for
       sitting.
    C. Landscape treatment shall be provided to enhance architectural features,
       strengthen vistas and important axes, and provide shade.
    D. Unity of the design shall be achieved by repetition of certain plant varieties
       and other materials and by correlation with adjacent developments. All
       projects are required to use the minimum number of species under each
       category from the variety list in Appendix A.
      1. A minimum of two species listed under the deciduous tree category
      2. A minimum of one species listed under the coniferous tree category
      3. A minimum of one species listed under the deciduous shrubs category
      4. A minimum of one species listed under the coniferous shrubs category
    E. Plant material shall be selected for interest in its structure, texture, and color
       and for its ultimate growth. Plants that are indigenous to the area and others
that will be hardy, harmonious to the design, and of good appearance shall be used.

F. The landscape plan shall be designed to provide natural undulating landscape forms. Avoid consistent straight line plantings.

G. Irrigation of all landscape elements as defined above and turf area is required. Provide specification or information showing compliance in design submittal.

H. Parking areas and traffic ways shall be enhanced with landscaped spaces containing trees or tree groupings. Shrubs or other landscaping elements may be allowed in lieu of trees on a limited basis as approved by the City of La Vista within the PUD Landscape Plan.

I. Screening of service yards, mechanical, electrical, phone equipment and pedestals and other places that tend to be unsightly shall be accomplished by use of walls, fencing, planting, or combinations of those. Screening shall be equally effective in winter and summer.

J. Exterior lighting, when used, shall enhance the building design and the adjoining landscape. Lighting standards and fixtures for the parking areas and drives within the building area shall be similar in appearance and quality level as the light fixtures identified in Appendix B. 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. Wall Pack and exterior lighting with visible lamps are not permitted. Lighting shall be Dark Sky compliant, and limit wash onto abutting properties. Exceptions to Dark Sky compliance may be made for specific emergency lighting situations. Fixture, poles and/or other support cut sheets are required in the design submittal for all exterior lighting fixtures to be utilized.

K. Storm water management shall be integrated into the design of the site and landscaping. Storm water management criteria are found in the following reference materials:
   1. Papillion Creek Watershed Partnership Storm Water Management Policies
   2. Storm Water Management Regulations, Chapter 154 of the City of La Vista Municipal Code
   3. City of La Vista Subdivision Regulations, 2003 Edition and latest amendments

IV. BUILDING DESIGN
   A. Architectural style is not restricted; however architectural style should consistent throughout the subdivision. Evaluation of the appearance of the projects shall be based on the quality of its design and relationship to surroundings.
   B. Buildings shall have good scale and be harmonious conformance with permanent neighboring development.
   C. All buildings are to be designed from a four-sided (360 degree) structure perspective, thus requiring the same caliber of finishes and design attention
on all facades of the building. Large areas of blank exterior are to be avoided and are grounds for non-compliance.

D. All buildings shall feature a prominent entrance.

E. Building Materials:
   1. Building Materials shall be limited to the following:
      a) Aluminum Composite Material (ACM)
      b) Clear or tinted glass
      c) Clay brick or stone
      d) Integrally colored burnished or split face concrete block. Smooth concrete block may be allowed as accents.
      e) Integrally colored EFIS (exterior insulated finishing system)
      f) Integrally colored cast stone
      g) Architectural Precast Concrete may be allowed as Accents
      h) Integrally colored composite rain screen panels.
     i) Any combination of the materials listed
   2. Materials shall be selected for suitability to the type of buildings and the design in which they are used. Buildings shall have the same materials, or those that are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public ways.
   3. Materials shall be of durable quality such as prefinished or integral color for long life with minimal maintenance. Any material requiring a field-applied finish shall have long life, i.e. coatings such as “TNEMEC” or equal. Product data shall be submitted for review.
   4. In any design in which the structure frame is exposed to view, the structural materials shall be compatible within themselves and harmonious with their surroundings.

F. Building components, such as windows, doors, eaves and parapets, shall have good proportions and relationships to one another.

G. Intense, bright, or fluorescent colors should not be used as the predominant color on any wall or roof of any primary or accessory structure. These colors may be used as building accent colors, but should generally not constitute more than 10 percent of the area of each elevation of a building.

H. All overhead garage doors shall be recessed into the main building façade a minimum of 8 inches. Depth shall be relative to building wall construction.

I. Colors shall be harmonious and shall use only compatible accents.

J. Portions of low slope roofs of less than 1/12 may be allowed. They may be either adhered or ballasted. If adhered, the membrane shall be in the lighter color ranges, such as white, to be more energy conscious and less absorptive. An SRI of 29 or greater is required.

K. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building or they shall be so located as not to be visible from an elevation view and all angles associated with any public view. A section view shall be provided demonstrating appropriate screening. Mechanical screening shall match building elements and materials. Ground mounted mechanical equipment may utilize vegetative or other screening in a design approved by the City.
L. Exterior lighting shall be part of the architectural concept. Fixtures, standards, and all exposed accessories shall be harmonious with building design. Use of more energy conscious lamps, such as LED’s or similar is encouraged. The approved parking light fixture is provided in Appendix B.

M. If used, fencing and site furniture, including waste cans, directories, ash urns, guard rails or railing enclosures, shall be similar to those in existing locations in the Gateway Corridor Overlay District. The color of the site furnishings shall blend with the colors of the rest of the building/site. Provide selection documentation and color for review.

N. Refuse and waste removal areas, shall be screened from public view, using materials as stated in criteria for equipment screening.

O. All landscaping shall be in compliance with the Landscaping Requirements from the City of La Vista Zoning Ordinance.

P. Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple building projects, variable siting or individual buildings may be used to prevent a monotonous appearance.

Q. Exterior roof access ladders are not allowed within the Woodhouse Place PUD District.

R. Exterior bracing of parapets or other features shall be screened from elevation views. Screening shall match building elements and materials.

V. SIGNS

A. Every sign shall have good scale and proportion in its design and in its visual relationship to the buildings and surroundings.

B. Every sign shall be designed as an integral architectural element of the building and site to which it principally relates.

C. The colors, materials, and lighting of every sign shall be restrained and harmonious with the building and site to which it principally relates.

D. The number of graphic elements on a sign shall be held to the minimum needed to convey the sign’s major message and shall be composed in proportion to the area of the sign face.

E. Each sign shall be compatible with signs on adjoining premises and shall not compete for attention.

F. Identification signs of a prototype design and corporation logos shall conform to the criteria for all other signs.

G. Monument signage shall vary between vehicle manufacturers, and shall correspond w/ building materials and branding. These monument signs may be internally lit.

H. Dealer signage, or center monument signage reading “Woodhouse Place”, shall be relatively similar in height, construction, and material usage as the other manufacture signs, and may have low spot lighting.

VI. MAINTENANCE—PLANNING AND DESIGN FACTORS

A. Continued good appearance depends upon the extent and quality of maintenance. The choice of materials and their use, together with the types of
finishes and other protective measures, must be conducive to easy maintenance and upkeep.

B. Materials and finishes shall be selected for their durability and wear as well as for their beauty. Proper measures and devices shall be incorporated for protection against elements, neglect, damage, and abuse.

C. If prefinished metal is utilized, TNEMEC coated metal, or approved equal is required.

VII. FACTORS FOR EVALUATION
The following factors and characteristics, which affect the appearance of the development, will govern the evaluation of a design submission:

A. Conformance to city ordinances and the Design Guideline

B. Logic of design.

C. Exterior space utilization.

D. Architectural character.

E. Attractiveness.

F. Material selection.

G. Harmony and compatibility.

H. Circulation - vehicular and pedestrian.

I. Maintenance requirements.

VIII. APPROVAL OF CHANGES AFTER DESIGN ACCEPTANCE
It is the owner’s responsibility to point out and submit any exterior modifications that are proposed between design acceptance and completion of construction to assure timely issuance of a Certificate of Occupancy.
5. PROCESS

PRE-APPLICATION CONFERENCEx: A pre-application conference with city staff and/or a preliminary meeting with the city design review architect gives the applicant an opportunity to discuss plans before a great deal of time or money is expended. If a certain design is inappropriate, the applicant will know beforehand.

APPLICATION FOR DESIGN REVIEW: The applicant needs to fill out the "Application for Design Review and submit it along with the required submittals. A listing of required submittals is included as part of the application form. The application fee required for this submittal shall be in accordance with La Vista’s Master Fee Schedule.

RESUBMITTAL REQUIREMENTS: After the initial submittal, digital submissions are acceptable, with the exception of material and color samples. A final hard copy submittal in 11” x 17” format shall be required after final approval.

DESIGN REVIEW: The City of La Vista staff in association with the city design review architect will review the submittal documents for compliance with the Woodhouse Place Design Guidelines.

SCHEDULE OF REVIEWS: A completed application will take approximately three weeks to review. Incomplete applications may cause a delay. Additional reviews will be necessary for all revised submittals until a Certificate of Design Approval is issued.

CERTIFICATE OF APPROVAL: Upon a successful review the City of La Vista will issue to the applicant a Certificate of Design Approval. A copy of this will need to be included with the Building Permit documents in order to receive a Building Permit.
### APPEALS:

In the event where the applicant and the City cannot come to an agreement within 180 days of initial application submission, the applicant may request a meeting with the City Administrator regarding an appeal to the City Council.

### OCCUPANCY PERMIT:

After the building permit is issued, all design requirements must be completed as approved in order for a Certificate of Occupancy to be issued.

### MAINTENANCE OF DESIGN REQUIREMENTS:

The applicant needs to maintain the Design Requirements for the life of the project. In the event that they fail to do so, the City may revoke the Occupancy Permit.
DECIDUOUS TREES

Downy Serviceberry/Amelanchier arborea – clump form
Prairie Pride hackberry/Celtis occidentalis ‘Prairie Pride’
Freeman Maple “Marmo”/ Acer saccharinum
Burgundy Belle Red Maple/ Acer rubrum
Norway Maple/ Acer platanoides
Halka Honeylocust/ Gleditsia triacanthos var. inermis “Halka”
Prairifire Crab/Malus ‘Prairifire’
Swamp White Oak/Quercus bicolor
Glenleven Littleleaf Linden/Tilia x flavescens ‘Glenleven’
River Birch/Betula nigra
Heritage Oak/ Quercus virginiana
Chinquapin Oak/ Quercus muehlenbergii
Kentucky Coffee/ Gymnocladus dioicus espresso
Adams Crab/ Malus ‘Adams’
Snowdrift Crab/ Malus ‘Snowdrift’
Greenspire/ Tilia cordata
Red Maple/ Acer rubrum

CONIFEROUS TREES

Colorado Spruce/Picea pungens
Vanderwolf Pine/ Pinus flexilis ‘Vanderwolf’s’
Bosnian Pine/ Pinus heldreichii
Black Hills Spruce/ Picea glauca

DECIDUOUS SHRUBS

Miniature Snowflake Mockorange/Philadelphus x ‘Miniature Snowflake’
Gro-Low Fragrant Sumac/Rhus aromatica ‘Gro-Low’
Japanese White Spirea/Spirea albitriflora
Anthony Waterer Spirea-Sapho/Spirea x bumalda ‘Anthony Waterer’
Hancock Coralberry/Symphoricarpos x chenault ‘Hancock’
Dwarf Lilac/ Syringa meyeri ‘Palibin’
Alpine Currant/ Ribes alpinum
Burning Bush/ Euonymus alatus
Birchleaf Spirea
Dogwood/ firedance red twig
Blue muffin Viburnum
CONIFEROUS SHRUBS

Green Tam Juniper/ Juniperus Sabina ‘Tamariscifolia’
Sea Green Juniper/ Juniperus chinensis ‘Sea Green’

GROUNDCOVERS

Purple Winter Creeper/Euonymus fortunei var. ‘Coloratus’
Vinca Minor

PERENNIALS/BULBS

Butterscotch Ruffles Daylily/Hemerocallis ‘Butterscotch Ruffles’
Fairy Tale Pink Daylily/Hemerocallis ‘Fairy Tale Pink’
Hyperion Daylily/Hemerocallis ‘Hyperion’
Irish Elf Daylily/Hemerocallis ‘Irish Elf’
Little Business Daylily/Hemerocallis ‘Little Business’
Pardon Me Daylily/Hemerocallis ‘Pardon Me’
Happy Returns Daylily/Hemerocallis ‘Happy Returns’
Mount Hood Daffodil/Narcissus sp. ‘Mount Hood’
May Night Salvia/ Salvia nemorosa ‘May Night’
# Introduction

The modern styling of the D-Series is striking yet unobtrusive - making a bold, progressive statement even as it blends seamlessly with its environment. The D-Series distills the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire. The outstanding photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. The Size 2 is ideal for replacing 400-1000W metal halide in area lighting applications with energy savings of up to 80% and expected service life of over 100,000 hours.

## Ordering Information

### EXAMPLE: DSX2 LED 80C 1000 40K T4M MVOLT SPA DDBXD

<table>
<thead>
<tr>
<th>DSX2 LED</th>
<th>Series</th>
<th>LEDS</th>
<th>Drive current</th>
<th>Color temperature</th>
<th>Voltage</th>
<th>Mounting</th>
</tr>
</thead>
<tbody>
<tr>
<td>DSX2 LED</td>
<td>80C</td>
<td>80 LEDS (four engines)</td>
<td>530</td>
<td>500 mA</td>
<td>T15</td>
<td>Type Very Short</td>
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<tr>
<td></td>
<td>100C</td>
<td>100 LEDS (four engines)</td>
<td>700</td>
<td>5000 K</td>
<td>T25</td>
<td>Type Very Short</td>
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<tr>
<td></td>
<td>90C</td>
<td>90 LEDS</td>
<td>1200</td>
<td>5000 K</td>
<td>T35</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>1200</td>
<td>5000 K</td>
<td>T4M</td>
<td>Type Very Short</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>1200</td>
<td>5000 K</td>
<td>TFTM</td>
<td>Forward Throw Medium</td>
</tr>
</tbody>
</table>

### Control options

- **Shipped installed**
  - NEMA twist-lock receptacle only (no controls)
  - Five-wire receptacle only (no controls)
  - Seven-wire receptacle only (no controls)
  - 0-10V dimming driver (no controls)
  - Dimmable and controllable via ROAM® (no controls)
  - Dual switching
  - Bi-level, motion/ambient sensor, 15'-30' mounting height, ambient sensor enabled at 50'c

- **Other options**
  - Bi-level, motion sensor, 15'-30' mounting height, ambient sensor enabled at 50'c
  - Bi-level switched dimming, 30%=50%
  - Bi-level switched dimming, 50%=50%
  - Part night, dim till dawn
  - Part night, dim 5 hrs
  - Part night, dim 6 hrs
  - Part night, dim 7 hrs
  - Field Adjustable Output

### Controls & Shields

<table>
<thead>
<tr>
<th>Controls &amp; Shields</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>DLI27 FY 1.5 JU</td>
<td>Photo cell - 51 twist-lock (120-277V)</td>
</tr>
<tr>
<td>DLI49 FY 1.5 COL JU</td>
<td>Photo cell - 51 twist-lock (347V)</td>
</tr>
<tr>
<td>DLI49 FY 1.5 COL JU</td>
<td>Photo cell - 51 twist-lock (480V)</td>
</tr>
<tr>
<td>DIUMST SM8 U</td>
<td>Shunting cap</td>
</tr>
<tr>
<td>DICPS HS W</td>
<td>House side shield for 80 LED unit</td>
</tr>
<tr>
<td>DICPS HS K</td>
<td>House side shield for 100 LED unit</td>
</tr>
<tr>
<td>DICPS HS K</td>
<td>House side shield for 100 LED unit</td>
</tr>
<tr>
<td>DLABD DAXD</td>
<td>Round arm mounting bracket (specify finish)</td>
</tr>
<tr>
<td>KMAC DDBXD</td>
<td>Mast arm mounting bracket adapter (specify finish)</td>
</tr>
</tbody>
</table>

For more control options, visit DTS and ROAM online.

---

**For more information, visit [www.lithonia.com](http://www.lithonia.com) or call 1-800-247-9303.**

---

*The D-Series Size 2 is ideal for replacing 400-1000W metal halide in area lighting applications with energy savings of up to 80% and expected service life of over 100,000 hours.*
**SPECIFICATIONS**

**Pole** - The pole shaft is fabricated from hot rolled commercial quality carbon steel of one-piece construction with a minimum yield strength of 55,000 psi.

**Pole Top** - A removable pole cap is provided for poles receiving drilling patterns for side-mount luminaire arm assemblies. For top mount luminaire and/or bracket consult the factory.

**Handhole** - A covered handhole and grounding provision with hardware is provided.

**Full Base Cover** - The two-piece standard full base cover is fabricated from ABS plastic. Optional Dart Square-2T cast and decorative base covers available as special order.

**Anchor Base** - The anchor base (base plate) conforms to ASTM A36.

**Anchor Bolts** - Anchor bolts conform to ASTM F1554 Grade 55 and are provided with two hex nuts and two flat washers. Bolts have an "L" bend on one end and are galvanized a minimum of 12" on the threaded end.

**Hardware** - All structural fasteners are galvanized high strength carbon steel. All non-structural fasteners are galvanized or zinc-plated carbon steel or stainless steel.

**Finish** - Standard finishes are galvanized, prime painted or any of Valmont's V-PRO™ Protection Systems. Additional finish options available upon request.

**Design Criteria** - Please reference Design Criteria Specification for appropriate design conditions.

* Consult factory on loading criteria for pole top mounted luminaires and/or brackets.
SOFT SQUARE STEEL
DS330
Fatigue Resistant

ANCHORAGE DATA

<table>
<thead>
<tr>
<th>POLE BASE SQUARE (IN)</th>
<th>WALL TRK (GA)</th>
<th>BOLT CIRCLE</th>
<th>ANCHOR BOLTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.00 11 8.50 0.50 8.25 0.750 0.75 x 17.00 x 3.00 3.50 0.25</td>
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<td>4.00 10 8.50 0.50 8.25 0.875 0.75 x 17.00 x 3.00 3.63 0.25</td>
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<td>5.00 11 11.00 1.00 11.00 1.000 0.75 x 17.00 x 3.00 3.75 0.25</td>
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<tr>
<td>5.00 10 11.00 1.00 11.00 1.000 0.75 x 17.00 x 3.00 3.75 0.25</td>
<td></td>
<td></td>
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<tr>
<td>6.00 7 12.00 1.00 12.50 1.000 1.00 x 36.00 x 4.00 4.25 0.25</td>
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</tbody>
</table>

Anchor Base Detail

180° Bolt Slots/Holes

As viewed from top of pole.

Bolt Circle

90°

270°

0° - Handhole

LOAD AND DIMENSIONAL DATA

<table>
<thead>
<tr>
<th>DESIGN INFORMATION</th>
<th>POLE DIMENSIONS (3)</th>
<th>MODEL NUMBER</th>
</tr>
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<tbody>
<tr>
<td>NOMINAL HEIGHT</td>
<td>WALL TRK (GA)</td>
<td>STRUCTURE WEIGHT (LBS)</td>
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<tr>
<td>10'-0&quot;</td>
<td>11 75</td>
<td>S400Q100</td>
</tr>
<tr>
<td>12'-0&quot;</td>
<td>11 90</td>
<td>S400Q120</td>
</tr>
<tr>
<td>14'-0&quot;</td>
<td>11 100</td>
<td>S400Q140</td>
</tr>
<tr>
<td>16'-0&quot;</td>
<td>11 115</td>
<td>S400Q160</td>
</tr>
<tr>
<td>18'-0&quot;</td>
<td>11 125</td>
<td>S400Q180</td>
</tr>
<tr>
<td>20'-0&quot;</td>
<td>11 140</td>
<td>S400Q200</td>
</tr>
<tr>
<td>25'-0&quot;</td>
<td>11 170</td>
<td>S400Q250</td>
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<tr>
<td>30'-0&quot;</td>
<td>11 245</td>
<td>S400Q250</td>
</tr>
<tr>
<td>35'-0&quot;</td>
<td>11 225</td>
<td>S400Q225</td>
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<tr>
<td>40'-0&quot;</td>
<td>11 360</td>
<td>S400Q250</td>
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PRODUCT ORDERING CODES

<table>
<thead>
<tr>
<th>DESIGN SERIES</th>
<th>MODEL NUMBER</th>
<th>FINISH</th>
<th>COLOR</th>
<th>V-PRO™ PROTECTION SYSTEM</th>
<th>OPTIONS</th>
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<tbody>
<tr>
<td>DS330</td>
<td>S400W250</td>
<td>D1</td>
<td>--</td>
<td>-- Galvanize</td>
<td>V1 = V-PRO 1</td>
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<tr>
<td></td>
<td>S400Q100</td>
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<td>-- Prime Paint</td>
<td>V2 = V-PRO 2</td>
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<tr>
<td></td>
<td>S400Q120</td>
<td></td>
<td></td>
<td>-- White</td>
<td>V3 = V-PRO 3</td>
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<tr>
<td></td>
<td>S400Q140</td>
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<td></td>
<td>-- Sandstone</td>
<td>V4 = V-PRO 4</td>
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<tr>
<td></td>
<td>S400Q160</td>
<td></td>
<td></td>
<td>-- Black</td>
<td></td>
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<tr>
<td></td>
<td>S400Q180</td>
<td></td>
<td></td>
<td>-- Silver Metallic</td>
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<tr>
<td></td>
<td>S400Q200</td>
<td></td>
<td></td>
<td>-- Light Gray</td>
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<tr>
<td></td>
<td>S500Q200</td>
<td></td>
<td></td>
<td>-- Slate Gray</td>
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</tr>
<tr>
<td></td>
<td>S500Q225</td>
<td></td>
<td></td>
<td>-- Dark Tan</td>
<td></td>
</tr>
<tr>
<td></td>
<td>S500Q250</td>
<td></td>
<td></td>
<td>-- Medium Bronze</td>
<td></td>
</tr>
<tr>
<td></td>
<td>S500Q300</td>
<td></td>
<td></td>
<td>-- Bronze</td>
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<tr>
<td></td>
<td>S500Q350</td>
<td></td>
<td></td>
<td>-- Brown</td>
<td></td>
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<tr>
<td></td>
<td>S600Q300</td>
<td></td>
<td></td>
<td>-- Hunter Green</td>
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<td></td>
<td>S600Q350</td>
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<td>-- Dark Green</td>
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<tr>
<td></td>
<td>S600Q400</td>
<td></td>
<td></td>
<td>-- Red</td>
<td></td>
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<tr>
<td></td>
<td>S600Q500</td>
<td></td>
<td></td>
<td>-- Special Color (Contact Factory)</td>
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</tbody>
</table>
City of La Vista
Conditional Use Permit

Conditional Use Permit for Automobile Display, Sales, Service and Repair

This Conditional Use Permit issued this ___th day of __________, 2017, by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska (“City”) to, LB Southwest LLC (“Owner”), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner owns, or has a contract to purchase (“Purchase Agreement”), and wishes to construct and operate four automobile display, sales, service and repair businesses upon the following described tracts of land within the City of La Vista zoning jurisdiction:

- Lots 1 and 2, Woodhouse Place located in the N ½, NE ¼, Section 23, Township 14 North, Range 11 East of the 6th P.M. Sarpy County, Nebraska. (“Property”)

WHEREAS, Owner has applied for a conditional use permit for the purpose of Owner constructing, owning, and operating four automobile businesses on the Property, each comprised of automobile display, sales, service and repair (the “Permit”); and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit to Owner for such purposes, subject to certain conditions and agreements as hereinafter provided; and

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this Permit is issued to the Owner to use the Property for the purposes described above, 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 to are as follows:

1. The rights granted by this Permit are transferable and any breach of any terms hereof shall cause Permit to expire and terminate subject to the rights of the Owner to cure such default or deficiency as set forth herein in this Agreement.

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 is attached hereto and incorporated herein as Exhibit “A”.
   b. The hours of operation for service and repair will generally be from 7:00 a.m. to 6:00 p.m. Monday through Friday, 8:00 a.m. – 4:00 p.m. Saturday. Sales hours will be 8:00 a.m. to 9:00 p.m. Monday, Tuesday, Thursday and 8:00 a.m. to 6:00 p.m. on Wednesday, Friday, and Saturday.
   c. There will be approximately 300 employees to work full or part time.
   d. The sales, repair and service will consist of passenger vehicles.
   e. There shall not be any outside storage of materials or vehicles, except for the Permitted Use. All trash receptacles, benches and planters shall be placed on property and securely fastened to building or concrete.
   f. The Property shall be developed and maintained in accordance with the CUP Site Plan (Exhibit “A”), Landscape Plan (Exhibit “B”) and all other exhibits of this Permit, as well as the Final Plat, Subdivision Agreement, and Planned Unit Development, as approved by the City and incorporated
herein by this reference. Any modifications must be submitted to the City Planner for approval, and shall be subject to any additional approvals as the City Administrator determines necessary or appropriate, unless otherwise expressly provided in the Exhibit, document or instrument to be modified.

g. No vehicle repair or inoperable or damaged vehicles, other than emergency maintenance such as changing a tire, shall be allowed outside of buildings on the Property.

h. 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 directed downward and excessive brightness avoided. Lighting shall be designed to a standard that does not impact adjoining properties, especially residential areas.

i. Owner shall obtain all required permits from the City of La Vista, or otherwise required for the Use, and shall comply with any additional requirements as determined by the Chief Building Official, including, but not limited to, building, fire, and ADA laws, regulations, or other requirements.

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 violations of any applicable environmental or safety law, rule or regulation relating to the Owner’s ownership, possession, or use of the Property..

3. In respect to the Gateway Corridor Overlay District and Woodhouse Place design criteria:

a. Building Exterior (Style and Building Materials)
   i. The building elevations as constructed shall be consistent with the Building Elevations attached as Exhibit "C". Each building will be reviewed at the time of the building design review process, prior to application for building permit and will meet the requirements of the Woodhouse Place Design Guidelines.

b. Mechanical Units
   i. The roof top mechanical units shall be screened from all sides by roof top screens as shown in the building elevations, including Building Elevations attached as Exhibit "C". Screening for each building will be reviewed in further detail at the time of the building design review process, prior to application for building permit and will meet the requirements of the Woodhouse Place Design Guidelines.

c. Trash Enclosure
   i. The trash enclosure(s) shall be located and constructed in accordance with Woodhouse Place Design Guidelines.

d. Exterior Site Lighting Fixtures
   i. All exterior Site Lighting fixtures used on this project will be according to the photometric plan and lighting cut sheets, attached as Exhibit “D”). Additional exterior light fixtures incorporated into the design of each building will be reviewed at the time of the building design review process, prior to application for building permit and will meet the requirements of the Woodhouse Place Design Guidelines.
   ii. All additional exterior light fixtures must be submitted for approval.

e. Landscaping and Site Treatment
   i. The Woodhouse Place PUD Landscape Plan (Exhibit “B”), has identified the required landscaping to the site and shall be incorporated accordingly. A detailed landscaping plan for each building will be reviewed at the time of the building design review process, prior to application for building permit and will meet the requirements of the Woodhouse Place Design Guidelines.
Guidelines.
   ii. Any changes to the landscape plan must be approved by the City of La Vista.
f. Signage
   i. All signs shall comply with the City’s sign regulations or the Woodhouse Place PUD Ordinance.

4. The Owner’s right to maintain the Use of the Property, as contemplated by the Permit, shall be based on the following:
   a. An annual inspection to determine compliance with the conditions of this Permit. The Permit may be revoked upon a finding by the City that there is a material violation of the terms of this Permit if the violation continues after written notice from the City to Owner and opportunity to cure in the time and manner described below.
   b. The Use authorized by the Permit must be initiated within thirty days after completion of construction of improvements for such Use in accordance with Section 6 below; otherwise such Permit shall become void.
   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. This Section 5a shall be separately applied with respect to each of the four businesses constituting the Permitted Use, and upon abandonment by any such business of its Permitted Use, and not assumed or continued by one of the other businesses on the Property or a business under common ownership and control as one of the other businesses on the Property, this Permit shall be revoked with respect to the portion of the Property used by such business.
   b. Cancellation, revocation, denial or failure to maintain any federal, state or local permit required for the Use, and such cancellation, revocation, denial or failure to maintain any federal, state or local permit required for the Use is not cured in the time and manner described below, so long as curative rights are provided under laws, rules and regulations governing said permit.
   c. Owner’s construction or placement of a structure or other improvement on the Property (except during construction of any phase of the project) not specified in this Permit and Owners failure to cure such breach in the time and manner described below after City’s giving notice thereof.
   d. Owner’s breach of any other term hereof and its failure to cure such breach in the time and manner described below after City’s giving notice thereof.

6. If construction of improvements for the Permitted Use is not commenced on Lots 1 and 2 Woodhouse Place within one (1) year from March 21, 2017, and construction of all improvements completed within one year after commencement of construction, this Permit shall be null and void and all rights hereunder shall lapse, provided, however, Owner shall have the right to file for an extension of time pursuant to the La Vista Zoning Ordinance.

7. In the event the Owner fails to promptly remove any safety, environmental or other hazard or nuisance from the Property, or upon the expiration or termination of this Permit the Owner fails to promptly remove any remaining safety, environmental or other hazard or nuisance, 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 in connection with the removal thereof) 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, provided notice is furnished to the Owner along with a reasonable time to remove or cure such hazard, to enter the Property and to take whatever action as is necessary or appropriate to
remove any such hazards or nuisances in accordance with the terms of this Permit, and the right of the
City to enter the Property as may be necessary or appropriate to carry out any other provision of this
Permit.

8. If any provision, or any portion thereof, contained in this Permit 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, its 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 this Permit, unless the City has expressly waived said
breach. 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. Cure Rights. Notwithstanding any other provision of this Permit to the contrary, Owner shall be entitled
to notice and opportunity to cure a breach of this Permit as follows. City will notify the Owner of any
breach of this Permit. Owner shall be permitted to cure any breach. Cure shall be commenced and
completed as soon as possible and in all cases within thirty (30) days after City provides notice of
breach; provided, however, in any case that cure cannot be completed within 30 days, additional time
will be allowed, so long as cure is commenced within the time required in this Section 2 and diligently
pursued and completed as soon as possible, and allowing additional times does not present or increase
risk of harm to persons or property. City shall have the right to terminate this Permit if a breach is not
timely cured.

3. Nothing herein shall be construed to be a waiver or suspension of, or an agreement on the part of the City
to waive or suspend, any zoning law or regulation applicable to the premises except to the extent and for
the duration specifically authorized by this Permit.

4. Any notice to be given by City hereunder shall be in writing and shall be sufficiently given if sent by
regular mail, postage prepaid, addressed as follows:

Contact Name and Address:     Paul Cech
                                LB Southwest LLC
                                6603 “L” Street
                                Omaha, NE  68117

5. All recitals at the beginning of this Permit, and all exhibits and other documents referenced in this
Permit, shall be incorporated herein by said reference.
**Effective Date:**

This Permit shall take effect upon the filing hereof with the City Clerk a signed original hereof; provided, however, if the Owner has a Purchase Agreement to acquire the Property, this Permit shall take effect upon Owner closing on such Purchase Agreement and acquiring the Property.

**THE CITY OF LA VISTA**

By ____________________________
Douglas Kindig, Mayor

Attest:

______________________________
Pamela A. Buethe, CMC
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 __________, 2017, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared Douglas Kindig and Pamela A. Buethe, personally known by me to be the Mayor and City Clerk of the City of La Vista, and the identical persons whose names are affixed to the foregoing Agreement, and acknowledged the execution thereof to be their voluntary act and deed and the voluntary act and deed of said City.

______________________________
Notary Public
ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA )

COUNTY OF ____________________ ) ss.

On this _____ day of __________, 2017, 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 LB Southwest LLC, and the identical person whose name is affixed to the foregoing Agreement, and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said company.

__________________________________________
Notary Public
# D-Series Size 2

**LED Area Luminaire**

## Specifications

- **EPA:** 1.1 ft² (0.10 m²)
- **Length:** 40” (101.6 cm)
- **Width:** 15” (38.1 cm)
- **Height:** 7-1/4” (18.4 cm)
- **Weight (max):** 36 lbs (16.3 kg)

## Introduction

The modern styling of the D-Series is striking yet unobtrusive - making a bold, progressive statement even as it blends seamlessly with its environment.

The D-Series distills the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire. The outstanding photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. The Size 2 is ideal for replacing 400-1000W metal halide in area lighting applications with energy savings of up to 80% and expected service life of over 100,000 hours.

## Ordering Information

**EXAMPLE:** DSX2 LED 80C 1000 40K T4M MVOLT SPA DDBXD

<table>
<thead>
<tr>
<th>DSX2 LED</th>
<th>Series</th>
<th>LEDs</th>
<th>Drive current</th>
<th>Color temperature</th>
<th>Distribution</th>
<th>Voltage</th>
<th>Mounting</th>
</tr>
</thead>
<tbody>
<tr>
<td>DSX2 LED</td>
<td>Forward optics</td>
<td>80C</td>
<td>530</td>
<td>3030 K</td>
<td>T5S</td>
<td>MVOLT</td>
<td>Shipped included</td>
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<td>100C</td>
<td>1000</td>
<td>1200</td>
<td>1200 mA, 1.2 A</td>
<td>30K</td>
<td>4000 K</td>
<td>SPA</td>
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<td>90C</td>
<td>90 LEDs</td>
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<td>700 mA</td>
<td>40K</td>
<td>4000 K</td>
<td>Round pole mounting</td>
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<td>5000 K</td>
<td>RFA</td>
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## Control options

- **Shipped installed**
  - PER: NEMA twist-lock receptacle only (no controls) 11
  - PER7: Five-wire receptacle only (no controls) 11
  - DMG: 0-10V dimming driver (no controls) 11
  - DCR: Dimmable and controllable via ROAM® (no controls) 11
  - DS: Dual switching 11
  - PIRH: Bi-level, motion/ambient sensor, 15’-30’ mounting height, ambient sensor enabled at 1fc 11
  - PIRH1C3V: Bi-level, motion/ambient sensor, 15’-30’ mounting height, ambient sensor enabled at 1fc 11
  - BL30: Bi-level switched dimming, 30% 11
  - BL50: Bi-level switched dimming, 50% 11
  - PNMT03: Part night, dim till dawn 19
  - PNMT503: Part night, dim 5 hrs 13
  - PNMT506: Part night, dim 6 hrs 13
  - PNMT707: Part night, dim 7 hrs 13
  - FOA: Field Adjustable Output 19

## Other options

- **Shipped installed**
  - HS: House-side shield 11
  - SF: Single fuse (120, 277, 347V) 17
  - DF: Double fuse (208, 240, 480V) 17
  - L90: Left rotated optics 11
  - RS: Right rotated optics 11
  - BS: Bird spikes 11

## Controls & Shields

<table>
<thead>
<tr>
<th>Controls and Shields Options</th>
<th>Notes</th>
</tr>
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<tbody>
<tr>
<td>DL127F 1.5 JU</td>
<td>Photocell - 5L twist-lock (120-277V) 11</td>
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<tr>
<td>DL1247Y 1.5 COL JU</td>
<td>Photocell - 5L twist-lock (347V) 11</td>
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<tr>
<td>DL1247T 1.5 COL JU</td>
<td>Photocell - 5L twist-lock (480V) 11</td>
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<td>DSURHT SWH U</td>
<td>Shunting cap 11</td>
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<tr>
<td>DSU5HS 80C U</td>
<td>House-side shield for 80C LED unit 11</td>
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<tr>
<td>DSU5HS 90C U</td>
<td>House-side shield for 90LED unit 11</td>
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<tr>
<td>DSU5HS 100C U</td>
<td>House-side shield for 100C LED unit 11</td>
</tr>
<tr>
<td>PNMT DDBXD 11</td>
<td>Mast arm mounting bracket 11</td>
</tr>
</tbody>
</table>

1. Provides 50/50 luminaire operation via two independent drivers on two separate circuits. N/A with BL30, BL50, PER, PER5, PER7, DCR, DS, BL30, BL50 or PMNT options.
2. Requires an additional switched circuit.
3. PIRH1FC3V and PIRH1FC2V specify the SensorSwitch SBGR-6-ODP control; see Outdoor Control Technical Guide for details. Dimming driver standard. Not available with PERS or PERT. Ambient sensor disabled when ordered with DCR. Separate on/off required.
4. Dimming driver standard. MVOLT only. Not available with 347V, 480V, DCR, DS, PERS, or PMNT options. Not available with PIRH1FC2V.
5. Dimming driver standard. MVOLT only. Not available with 347V, 480V, DCR, DS, PERS, PER7 or PMNT options. Not available with PIRH1FC2V.
6. Separate on/off required.
7. Dimming driver standard. Not available with PERS, PER7, DCR, DS, BL30, BL50 or PMNT options. Not available with PIRH1FC2V.
8. Not available with BLC, LCCO and RCCO distribution. Also available as a separate accessory; see Accessories information.
9. RS LEDs (90C option) only.
10. Requires luminaire to be specified with PER option. Ordered and shipped as a separate line item from Acuity Brands Controls.
11. For retrofit use only.

## Notes

-  For more control options, visit DTS and ROAM online.
SPECIFICATIONS

Pole - The pole shaft is fabricated from hot rolled commercial quality carbon steel of one-piece construction with a minimum yield strength of 55,000 psi.

Pole Top - A removable pole cap is provided for poles receiving drilling patterns for side-mount luminaire arm assemblies. For top mount luminaire and/or bracket consult the factory.

Handhole - A covered handhole and grounding provision with hardware is provided.

Full Base Cover - The two-piece standard full base cover is fabricated from ABS plastic. Optional Dart Square-2T cast and decorative base covers available as special order.

Anchor Base - The anchor base (base plate) conforms to ASTM A36.

Anchor Bolts - Anchor bolts conform to ASTM F1554 Grade 55 and are provided with two hex nuts and two flat washers. Bolts have an “L” bend on one end and are galvanized a minimum of 12” on the threaded end.

Hardware - All structural fasteners are galvanized high strength carbon steel. All non-structural fasteners are galvanized or zinc-plated carbon steel or stainless steel.

Finish - Standard finishes are galvanized, prime painted or any of valmont’s V-PRO™ Protection Systems. Additional finish options available upon request

Design Criteria - Please reference Design Criteria Specification for appropriate design conditions.

* Consult factory on loading criteria for pole top mounted luminaires and/or brackets.
SOFT SQUARE STEEL
DS330
Fatigue Resistant

ANCHORAGE DATA

<table>
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<tr>
<th>POLE BASE SQUARE (IN)</th>
<th>WALL TGK (GA)</th>
<th>BOLT CIRCLE</th>
<th>DIAM (IN)</th>
<th>SQUARE (IN)</th>
<th>THK (IN)</th>
<th>DIAXLENGTHXHICK (IN)</th>
<th>PROJECTION (IN)</th>
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LOAD AND DIMENSIONAL DATA

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<th>80 MPH W/1.3 GUST (MAX W/DIA)</th>
<th>90 MPH W/1.3 GUST (MAX W/DIA)</th>
<th>100 MPH W/1.3 GUST (MAX W/DIA)</th>
<th>BASE SQUARE W/1.3 GUST (MAX W/DIA)</th>
<th>WALL TGK (GA)</th>
<th>STRUCTURE WEIGHT (LBS)</th>
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PRODUCT ORDERING CODES

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<tr>
<th>DESIGN SERIES</th>
<th>MODEL NUMBER</th>
<th>FIXTURE MOUNTING</th>
<th>FINISH</th>
<th>COLOR</th>
<th>V-PROTECT**</th>
<th>OPTIONS</th>
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<td>--</td>
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1. Maximum EPA (Effective Projected Area) and weight values are based on side mounted fixtures only. Consult factory on loading criteria for pole top mounted luminaires and/or brackets.
2. Variations from sizes above are available upon inquiry at the factory. Satisfactory performance of poles is dependent upon the pole being properly attached to a supporting foundation of adequate design.
3. Structure weight is a nominal value which includes the pole shaft and base plate only.
4. Bell-bottom has been reduced thickness due to the cold-working process. However, the belled-bottom meets or exceeds the structural capacity of the original square section. In addition, the rounded section provides better fatigue resistance.

See Accessories at valmontstructures.com (Please Specify)