



CITY OF LA VISTA
8116 PARK VIEW BOULEVARD
LA VISTA, NE 68128
P: (402) 331-4343

DIAL-IN INFORMATION

PHONE NUMBER: 1-346-248-7799
MEETING ID: 892 6801 9671
PASSWORD: 061820

PLANNING COMMISSION AGENDA

JUNE 18TH, 2020 – 6:30 P.M.

VIRTUAL MEETING

[HTTPS://US02WEB.ZOOM.US/J/89268019671?PWD=WkNIUWFQNkPMNLGXYNawanVVHAGVuQT09](https://us02web.zoom.us/j/89268019671?pwd=WkNIUWFQNkPMNLGXYNawanVVHAGVuQT09)

Pursuant to Governor Rickett's "Executive Order No. 20-03 Coronavirus Public Meetings Requirement Limited Waiver," the La Vista Planning Commission will be conducting their meetings virtually via Zoom. Members of the public and the media are welcome to attend and participate in this meeting virtually.

- 1. *Call to Order***
- 2. *Approval of Meeting Minutes – May 21, 2020***
- 3. *Old Business***
- 4. *New Business***
 - A. *Planned Unit Development – Lot 2 Southport East Replat Two – CPM-SFI Southport, LLC***
 - i. Staff Report – Cale Brodersen
 - ii. Applicant Presentation
 - iii. Public Hearing
 - iv. Recommendation
 - B. *Zoning Ordinance Amendment – Sections 2.20, 7.01, and 7.03 (Signs)***
 - i. Staff Report – Cale Brodersen
 - ii. Public Hearing
 - iii. Recommendation
- 5. *Comments from the Floor***
- 6. *Comments from the Planning Commission***
- 7. *Comments from Staff***
- 8. *Adjournment***

The public is welcome and encouraged to attend all meetings. If special accommodations are required please contact City Hall prior to the meeting at (402) 331-4343. A copy of the Open Meeting Act is posted in the Council Chamber. Citizens may address the Planning Commission about items not on the agenda under "comments from the floor". Comments should be limited to five minutes. We ask for your cooperation in order to provide for an organized meeting.



CITY OF LA VISTA
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LA VISTA, NE 68128
P: (402) 331-4343

PLANNING COMMISSION MINUTES
MAY 21, 2020 6:30 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, May 21, 2020 via Zoom, which included video and teleconferencing options. Chairman Kevin Wetuski called the meeting to order at 6:30 p.m. with the following members present: Kevin Wetuski, Mike Krzywicki, Gayle Malmquist, Kathleen Alexander, John Gahan, Harold Sargus, Josh Frey, Jason Dale, and Patrick Coghlan. Members absent were: Circo. Also, in attendance were Bruce Fountain; Community Development Director; Chris Solberg; Deputy Community Development Director, Cale Brodersen, Assistant Planner; Meghan Engberg, Permit Technician, and Pat Dowse; City Engineer.

Legal notice of the public meeting and hearing were posted, distributed and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission. All proceedings shown were taken while the convened meeting was open to the attendance of the public via teleconference. Governor Pete Ricketts issued Executive Order No. 20-03 – Corona Virus – public meeting requirement limited waiver. Such order allowed for the governing body to meet by telephone and video conferencing. Notice of the phone number was given to the public through the City of La Vista website and through social media and was posted at the entrance of the meeting facility.

1. Call to Order

The meeting was called to order by Chairman Wetuski 6:30 p.m. Copies of the agenda and staff reports were made available to the public.

2. Approval of Meeting Minutes – March 19, 2020

Malmquist moved, seconded by Sargus, to approve the March 19th minutes. **Ayes: Krzywicki, Gahan, Wetuski, Frey, Sargus, Dale, Alexander and Malmquist. Nays: None. Abstain: None. Absent: Circo. Motion Carried, (9-0)**

3. Old Business

None.

4. New Business

A. Replat – Alpine Village South Addition Replat 1 – CLR Development, LLC

- i. Staff Report – Cale Brodersen:** Brodersen stated that the applicant, CLR Development LLC, is requesting a replat to redraw some property lines between 3 properties located approximately northwest of the intersection of 84th Street and Brentwood Drive. Brodersen did a share screen to show the commissioners what is being proposed. He said that the replat is essentially a land swap to redraw some of the property lines to correct a current issue where part of the parking lot and access driveway for one of the strip retail buildings currently sits on a section of the

adjacent properties. Brodersen mentioned that the applicants were present to answer questions. Brodersen stated that staff recommends approval for the Replat for Lots 21A1, 21A2, 22B, 22A1B, and 22A1A1 Alpine Village South and Outlot 1A1 Granville South, being replatted as Lots 1-3 Alpine Village South Addition Replat 1, as the request is consistent with the City's subdivision regulations.

- ii. **Applicant Presentation-** Steve Humphries spoke on behalf of the applicant. He said that he didn't have much to add and that what they are doing is straight-forward.
- iii. **Recommendation:** *Krzywicki moved, seconded by Malmquist, to recommend for approval the Replat for Lots 21A1, 21A2, 22B, 22A1B, and 22A1A1 Alpine Village South and Outlot 1A1 Granville South, being replatted as Lots 1-3 Alpine Village South Addition Replat 1, as the request is consistent with the City's subdivision regulations. Ayes: Krzywicki, Gahan, Wetuski, Frey, Sargus, Dale, Alexander and Malmquist. Nays: None. Abstain: None. Absent: Circo. Motion Carried, (9-0)*

5. Comments from the Floor

No members of the public were present.

6. Comments from the Planning Commission

Krzywicki asked how we knew if members of the public were present during the Zoom meeting.

Brodersen said anytime anyone wants to join, he will admit them into the meeting and they would be shown on the screen.

Sargus asked if members of the public would be announced if present.

Brodersen said that he would be sure to do that if there are members of the public present at the meeting.

Fountain added that he believed that members of the public would be muted until it was opened for public comment.

Krzywicki asked if there are any changes coming up to the directives for the City of La Vista regarding park accesses or anything like that they need to be aware of.

Fountain said that they have been getting new directives from the State that are being reviewed, so new information should be coming out shortly.

Solberg said that it will probably just be a slow rollout and that it sounds like the state has some things planned to start opening in late May and the month of June. He said that he feels that the city will be the same way. Solberg mentioned that one of the things being looked at is youth

activities and restroom accessibility. He said that there are probably going to be some best practices coming down from the State as well.

Sargus asked if the construction at City Centre is still on track or if it has slowed down because of Covid-19.

Solberg said that it did take a little bit of a dip, but that the current construction has kept going and hasn't slowed down much. He said that some planned projects took a little bit of a dip with financing, especially the event center because of the uncertainty of building something that holds thousands of people, but from recent discussions that have been had, it sounds like lenders are sounding optimistic and hopefully we will see that project being started soon. He said that the developer just received approval for TIF financing for a couple of new buildings over by the First National Bank and is hoping to start construction in early June.

Krzywicki asked if there was any estimate on when Chili's will be starting construction on their building.

Solberg said that the new Chili's facility was one of the items that was approved for TIF financing and should begin construction soon.

7. Comments from the Staff

Brodersen said that there will not be a meeting on June 4th, so the next meeting will be on June 18th.

Solberg said that he appreciated the commission's ability to be flexible in doing the meeting via Zoom.

8. Adjournment

Wetuski adjourned the meeting at 6:46 p.m.

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chair

Date

AGENDA ITEM 4A

**Planned Unit Development — Lot 2 Southport East
Replat Two—CPM-SFI Southport, LLC**



CITY OF LA VISTA
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBERS: PPUD20-0001;

FOR HEARING OF: JUNE 18, 2020
REPORT PREPARED ON: JUNE 10, 2020

I. GENERAL INFORMATION

A. APPLICANT:

CPM-SFI Southport, LLC
Attn: Jamie Saldi
6910 N 102nd Circle
Omaha, NE 68122

B. PROPERTY OWNER:

CPM-SFI Southport, LLC
6910 N 102nd Circle
Omaha, NE 68122

C. LOCATION: Southeast of the intersection of Giles Road and Southport Parkway.

D. LEGAL DESCRIPTION: Lot 2 Southport East Replat Two.

E. REQUESTED ACTION(S): Approval of a Planned Unit Development Site Plan Amendment.

F. EXISTING ZONING AND LAND USE: C-3 – Highway Commercial/Office Park District, Gateway Corridor District (Overlay District), and Planned Unit Development; Lot 2 Southport East Replat Two is currently vacant, aside from some paved parking that currently services the adjacent Hampton Inn hotel.

G. PURPOSE OF REQUEST: Development including a fast-food restaurant with a drive-thru, and a sit-down restaurant with a drive-thru.

H. SIZE OF SITE: Approximately 1.8 acres.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE: The property slopes slightly downward to the south and to the east; the site is currently vacant.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

<u>Direction From Subject Property</u>	<u>Future Land Use Designation</u>	<u>Current Zoning Designation</u>	<u>Surrounding Development</u>
North	Commercial	C-3 Highway Commercial/Office Park District, Gateway Corridor Overlay District, PUD	Pinnacle Bank
East	Commercial	C-3 Highway Commercial/Office Park District, Gateway Corridor Overlay District, PUD	Hampton Inn & Suites Hotel
South	Commercial	C-3 Highway Commercial/Office Park District, Gateway Corridor Overlay District, PUD	Amigos/Kings Classic Restaurant
West	Commercial	C-3 Highway Commercial/Office Park District, Gateway Corridor Overlay District, PUD	Vacant Lots/Southport West

C. RELEVANT CASE HISTORY:

1. The initial Planned Unit Development Ordinance that covers this property was approved on December 20, 2005 (Ordinance No. 976).
2. An amendment to the PUD site plan for this lot was approved on November 15, 2016 (Resolution No.16-151), but the development concept has since changed which is why this amendment has been requested.

D. APPLICABLE REGULATIONS:

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

III. ANALYSIS

A. COMPREHENSIVE PLAN:

1. This proposal is consistent with the Future Land Use Map of the Comprehensive Plan, which designates Lot 2 Southport East Replat Two for commercial development.

B. OTHER PLANS: N/A.

C. TRAFFIC AND ACCESS:

1. This site can be accessed through the right-in only access off of Southport Parkway, McDermott Plaza from the southeast, and through the entrance to the adjacent hotel

parking lot off of S 123rd Plaza. McDermott Plaza is a private easement road with no dedicated public right-of-way.

2. A traffic queueing analysis for the development has been prepared by Felsburg, Holt & Ullevig (FHU), and suggests that the proposed site plan will adequately accommodate traffic demand for the proposed site development. The City Engineer has reviewed the analysis and finds it reasonable. The analysis performed by FHU dated June 1, 2020, is attached.
3. Through the development review process, the applicant worked with City staff to produce an alternative site plan that reduces the likelihood that cars in the drive-thru for the proposed phase 1 restaurant would stack out onto Southport Parkway. Significant changes were also made to the site plan to improve pedestrian connections to surrounding development (including the hotel to the east, and other developments to the southeast).

D. UTILITIES:

1. The property has access to sanitary sewer, water, gas, power, and communication utilities.
2. Storm water management fees will be collected at the time of building permit issuance.

E. PARKING REQUIREMENTS:

1. The parking stall requirements for the proposed development, per the La Vista Zoning Ordinance, are:

<u>Lot #</u>	<u>Use</u>	<u>Required Stalls</u>	<u>Provided Stalls</u>
Lot 2	Restaurant w/ Drive-Thru	43 (1 space per 150 Sq. Ft)	80

The amount of parking provided with the proposed development substantially exceeds the amount required by the La Vista Zoning Ordinance. Additionally, there is a cross-parking agreement in place with the adjacent hotel, which provides for additional parking capacity.

F. LANDSCAPING:

1. The landscaping plan is currently under review by the City's Design Review Architect as part of the overall building and site design package.

IV. REVIEW COMMENTS:

- A. The site plan as proposed will be developed in two phases. The first phase will include the fast food restaurant with a drive-thru on the northwest side of the Lot. This phasing line is represented on

the attached PUD site plan. The second phase of development will include the second restaurant, remaining parking, and pedestrian connections. Financial guarantees will be required upon approval of the PUD to assure completion of the public improvements and pedestrian connections that are to be developed as part of phase 2.

- B. Before the applicant may apply for building permits for either of the proposed buildings, the building design must achieve substantial completion through the City's Design Review process, as required by the *Architectural and Site Design Guidelines – Southport Development* within the Southport East subdivision agreement.
- C. The applicant has proposed a Project Directory sign for the site that can advertise all tenants. It is challenging for the applicant to meet the 20-foot setback requirement for the Project Directory sign without having a large impact to the site plan. Per Section 5.15.04 of the La Vista Zoning Ordinance, the setback requirements can be reduced as part of a Planned Unit Development. The applicant is requesting an adjustment of the setback requirement for the Project Directory sign from 20 feet down to 10 feet as part of the Planned Unit Development, for the sign located along Giles Road (as displayed in the attached PUD Site Plan). Staff finds this request to be reasonable.
- D. The applicant met with the ownership of the adjacent Hampton Inn hotel on 6/5/2020 to discuss the site plan as proposed.

V. STAFF RECOMMENDATION – PUD SITE PLAN:

Staff recommends approval of the Planned Unit Development Site Plan Amendment for Lot 2 Southport East Replat Two, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

VI. ATTACHMENTS TO REPORT:

- A. Vicinity Map
- B. Review Letters
- C. PUD Plan Set
- D. Traffic Queueing Analysis

VII. COPIES OF REPORT SENT TO:

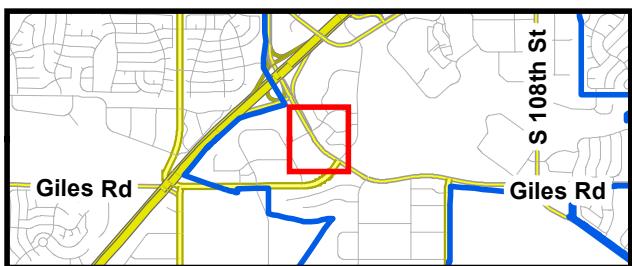
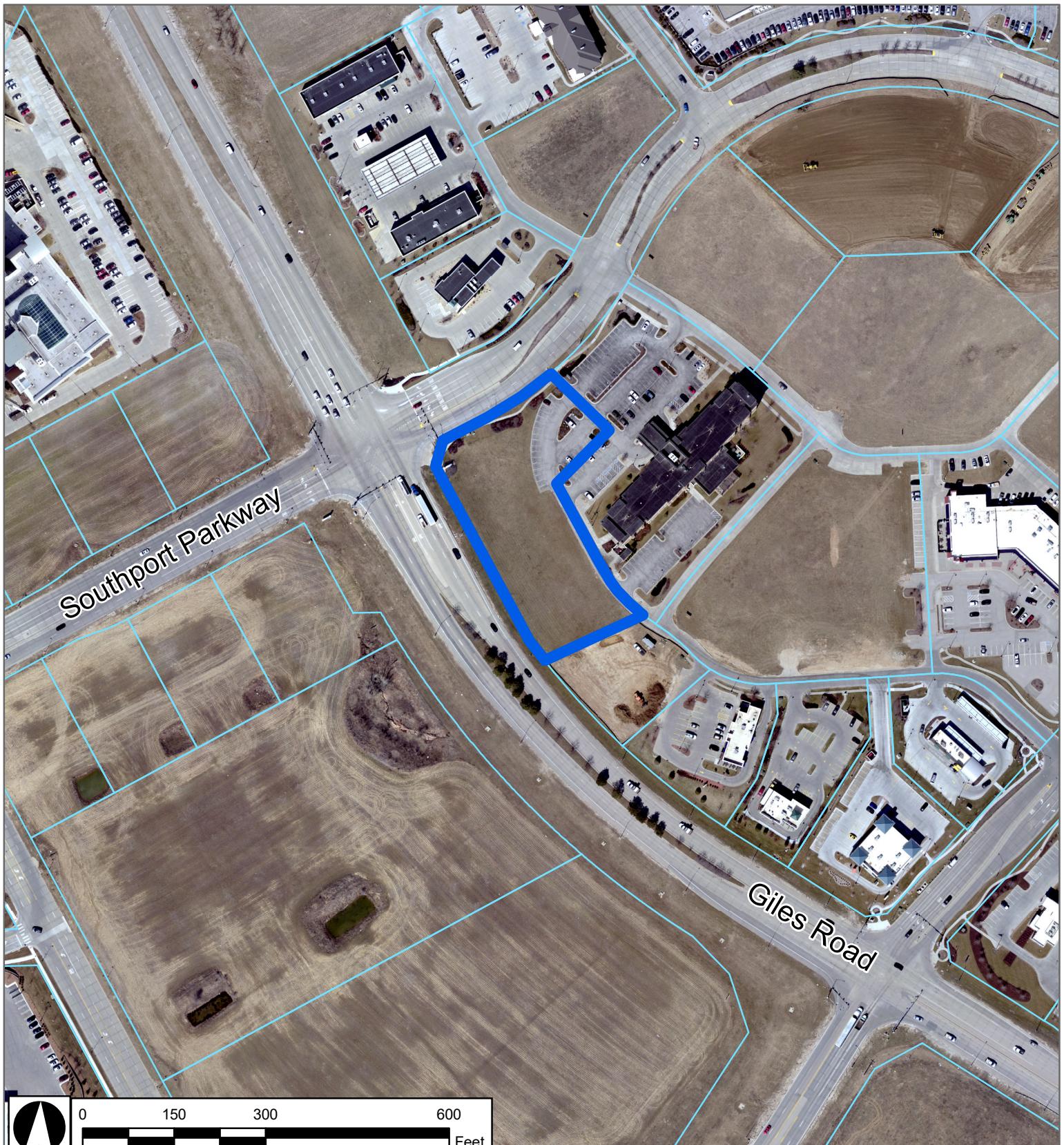
- A. Jamie Saldi, CPM-SFI Southport, LLC
- B. Philip Niewohner, Olsson
- C. Public Upon Request

Ale Bradsher

Prepared by: Assistant Planner

Bee Tala
Community Development Director

6/10/2020
Date



Vicinity Map - Planned Unit Development Lot 2 Southport East Replat Two

6/2/2020
CB





April 22, 2020

Philip Niewohner
Olsson Associates, Inc.
2111 S 67th Street, STE #200
Omaha, NE 68106

RE: Planned Unit Development – Initial Review Letter
Lot 2 Southport East Replat Two

Mr. Niewohner,

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

General Comments

- Please submit a schedule of construction, per Section 5.15.04.01. If project phasing is planned, phasing plan and schedule needs to be included. Since there are individual buildings that might be constructed separately, there needs to be information on phasing of construction so that common area elements such as drives, storm water facilities, utilities or other common area shared items can be addressed for maintenance. If appurtenances are not all built with first phase/first lot, then financial guarantees to assure completion will be needed as part of PUD approval.
- Per Section 5.15.04.06, please provide evidence of meeting and coordination with the hotel property owner regarding the PUD Site Plan and existing cross-parking easement. Any ingress/egress easements will need to be confirmed and/or recorded, and should be noted in the submittal.
- The building design will be reviewed as part of the design review process that is required for developments within Southport East and the Gateway Corridor District prior to building permit approval. The design review process will be conducted outside of the PUD approval process, with the exception of the review of the landscaping plan.

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

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

Golf Course
8305 Park View Blvd.
p: 402-339-9147

Library
9110 Giles Rd.
p: 402-537-3900
f: 402-537-3902

Police
7701 South 96th St.
p: 402-331-1582
f: 402-331-7210

Public Buildings & Grounds
8112 Park View Blvd.
p: 402-331-4343
f: 402-331-4375

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

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

- Per Section D.ii.a.6 of the Southport East Design Guidelines, all light fixtures will need to meet the requirements of the Southport East Design Guidelines. Parking lot fixtures will need to conform to Appendix I of the Guidelines, whereas the corner feature light fixtures will need to conform to Appendix H of the Guidelines. Review of the proposed site lighting will be conducted at the time of the design review for the main structure.
- A Center ID sign already exists on Lot 2 Southport East Replat Two. Per Section 7.01.05.02 of the La Vista Zoning Ordinance, no two Center ID signs shall be allowed closer than 500 feet to each other on the same side of the street, making an additional one on this lot infeasible.
- Existing developments within 200' of the property should be shown on the plan set per Section 5.15.05.02.11

Traffic

- Please submit a signage plan that identifies directional signage to try to minimize congestion and wrong-way movements.
- The Traffic Impact Analysis should be updated as to address any potential congestion related to the increase in trips to the site. The uses and layout of the proposed project are significantly different from the 2016 submittal, and it appears vehicle circulation and pedestrian/vehicle interaction are of concern. The west most drive thru has a relatively short stacking length from the access to the ordering board, which has the potential to stack traffic into the right-in only access from Southport Parkway, and out onto Southport Parkway.

Sheet C1.1

- Per Section 5.15.04.06, proposed site lighting locations need to be shown.
- In relation to Section 5.15.04.07: Parking counts depict four ADA parking spaces. However, only two are depicted with the "B" notation. Overall parking counts are in significant excess of the parking minimums set forth within the Zoning Ordinance. This should provide some flexibility in the amount of parking stalls provided in order to address circulation and pedestrian safety related issues.
- The Site Information Table lists the existing and proposed zoning as "C-3 PUD". Both should be listed as "C-3 PUD with a Gateway Corridor Overlay"
- Please note circulation aisle widths as to ensure sufficient width for circulation/turning movements.
- Building setbacks shall meet C-3 zoning unless otherwise approved by City Council as part of the final PUD. The setbacks in the site information table and on the map of

C1.1 need to depict the setbacks set forth within Section 5.12.06.01 of the Zoning Ordinance. Specifically,

Front Yard Setback:	25'
Front Yard Setback (when parking present in front yard):	50'
Side Yard Setback:	15'
Rear Yard Setback:	15'

The building setback dimension along Giles Road (where the line of parking is present) needs to be adjusted to 50 feet, 25 feet elsewhere along Southport Parkway and Giles.

- Article 5.15.04.15: Proposed sidewalk into the development from Southport Parkway needs to be not closer than 6 feet to back of curb. All sidewalks need to be 6 inches thick.

Walk connections to restaurants, hotel, and other parts of Southport East are in need of adjustments to improve pedestrian circulation and safety in the area. Redlines of proposed adjustments are attached for review. To provide for additional width in the eastern-most island for a sidewalk, the depth of parking on along Giles Road can be reduced by a foot or two through the use of an overhang for parking (as allowed by 7.09.01 of the Zoning Ordinance). The rest of the site would have to shift accordingly though.

- Proposed location for potential project directory sign needs to be called out, as well as all menu boards for drive through services.

Sheet C2.1

- Grading work will require a grading permit. Refer to the Master Fee Ordinance for details.
- Grading plan needs to address a conceptual design of water quality and 2-year peak flow detention, such as indication of bio-basins or under parking lot facilities.
- The grading plan submitted does not depict the required berming of the landscaped areas along Southport Parkway and Giles Road as per the Southport East Design Guidelines.
- Note #4 suggests the proposed grades are in 2' contours, whereas it appears the proposed contours are 1'. Please clarify.

Sheet C2.1

- Disposition of the sanitary sewer needs to be addressed, including any shared maintenance responsibilities.

Sheet L1.1

- Article 5.15.04.08: The proposed landscaping plan is currently under review by the City's third-party design review architect. Review comments will be provided when they are available.

Not all utility boxes are depicted along Southport Parkway. Please depict all boxes in the landscaping plan and related vegetative screening. Access doors to boxes cannot be blocked.

Landscaping plan does not depict the existing Center Identification Sign for the subdivision. Please provide depiction and adjust location of landscaping in relation.

It appears that a tree is planted within roughly a foot of what appears to be a proposed sign for the development. This can be problematic to either the tree or the sign foundation.

Please make any necessary adjustments to the Landscaping Plan that may result from the introduction of the light poles, as pointed out in the attached redlined plan set.

Berming is called out for landscaped areas along Southport Parkway. However, berming is not called out for landscaped areas along Giles Road. Berming should be reflected in the grading plan.

PCSMP

- The Post Construction Storm Water Management Plan is conceptual and more detailed information will be needed as the design is refined.
- The drainage report also needs to address the 10-year storm water quantitative requirement.
- Any shared maintenance responsibilities will need to be disclosed.
- It appears that drainage to the south building will drain east to the already-developed Lot 1. Hydrologic and hydraulic analyses will need to show that there are no adverse impacts to the downstream drainage system.
- It appears that drainage improvements on the north building and the grading of the west extents of the project will impact the drainage system within the Giles Road corridor. Systems will need to be evaluated to ensure that there are no adverse compacity and/or maintenance impacts.

The building, site design, and the landscape plan are currently under review by the City's Design Review Architect. A separate design review letter will be forwarded once the initial review has been completed. The design review process needs to be substantially complete prior to proceeding through City Council approval process.

Note that the development will need to obtain FAA approval prior to the issuance of a building permit.

Please submit a digital copy of the updated plan set and related documents to the City for further review. In order to continue with the desired timeline with the Planning Commission public hearing date of May 21st, the issues outlined in this review letter need to be fully addressed/corrected and revised documents must be submitted by Friday, May 1st at noon. This is necessary as the City must submit the legal ad publication request for the public hearing on the following Monday morning. If you are unable to make the necessary revisions in that timeframe, the next Planning Commission meetings are June 4th and June 18th.

If you have any questions regarding these comments, please feel free to contact me at any time.

Thank you,



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

Cc:

Jamie Saldi, CPM-SFI Southport, LLC
Bruce Fountain, Community Development Director, City of La Vista
Pat Dowse, City Engineer, City of La Vista
Cale Brodersen, Assistant Planner, City of La Vista

Enclosed

Comment Response: Lot 2 Southport East Replat Two

General Comments

- Please submit a schedule of construction, per Section 5.15.04.01. If project phasing is planned, phasing plan and schedule needs to be included. Since there are individual buildings that might be constructed separately, there needs to be information on phasing of construction so that common area elements such as drives, storm water facilities, utilities or other common area shared items can be addressed for maintenance. If appurtenances are not all built with first phase/first lot, then financial guarantees to assure completion will be needed as part of PUD approval.

Response: Schedule of construction will be provided by the owner. Shared maintenance agreement will be created to address concerns.

- Per Section 5.15.04.06, please provide evidence of meeting and coordination with the hotel property owner regarding the PUD Site Plan and existing cross- parking easement. Any ingress/egress easements will need to be confirmed and/or recorded, and should be noted in the submittal.

Response: The owner has been in contact with the hotel and will provide evidence of this coordination.

- The building design will be reviewed as part of the design review process that is required for developments within Southport East and the Gateway Corridor District prior to building permit approval. The design review process will be conducted outside of the PUD approval process, with the exception of the review of the landscaping plan.

Response: Noted.

- Per Section D.ii.a.6 of the Southport East Design Guidelines, all light fixtures will need to meet the requirements of the Southport East Design Guidelines. Parking lot fixtures will need to conform to Appendix I of the Guidelines, whereas the corner feature light fixtures will need to conform to Appendix H of the Guidelines. Review of the proposed site lighting will be conducted at the time of the design review for the main structure.

Response: Noted. Light fixture locations have been added to the plans.

- A Center ID sign already exists on Lot 2 Southport East Replat Two. Per Section 7.01.05.02 of the La Vista Zoning Ordinance, no two Center ID signs shall be allowed closer than 500 feet to each other on the same side of the street, making an additional one on this lot infeasible.

Response: Noted. Proposed sign locations kept on plans as further discussions are needed regarding signage.

- Existing developments within 200' of the property should be shown on the plan set per Section 5.15.05.02.11

Response: Additional developments have been added to the plans.

Traffic

- Please submit a signage plan that identifies directional signage to try to minimize congestion and wrong-way movements.

Response: Signage plan to be developed based on updated Traffic Impact Analysis.

- The Traffic Impact Analysis should be updated as to address any potential congestion related to the increase in trips to the site. The uses and layout of the proposed project are significantly different from the 2016 submittal, and it appears vehicle circulation and pedestrian/vehicle interaction are of concern. The west most drive thru has a relatively short stacking length from the access to the ordering board, which has the potential to stack traffic into the right-in only access from Southport Parkway, and out onto Southport Parkway.

Response: Owner to update Traffic Impact Analysis.

Sheet C1.1

- Per Section 5.15.04.06, proposed site lighting locations need to be shown.

Response: Light fixture locations have been added to the plans.

- In relation to Section 5.15.04.07: Parking counts depict four ADA parking spaces. However, only two are depicted with the “8” notation. Overall parking counts are in significant excess of the parking minimums set forth within the Zoning Ordinance. This should provide some flexibility in the amount of parking stalls provided in order to address circulation and pedestrian safety related issues.

Response: Minimum requirements are noted; however, current parking configuration kept mostly as-is to maximize available stalls. ADA parking stalls have been more clearly identified.

- The Site Information Table lists the existing and proposed zoning as “C-3 PUD”. Both should be listed as “C-3 PUD with a Gateway Corridor Overlay”

Response: Information has been updated.

- Please note circulation aisle widths as to ensure sufficient width for circulation/turning movements.

Response: Additional dimensions have been added for clarity.

- Building setbacks shall meet C-3 zoning unless otherwise approved by City Council as part of the final PUD. The setbacks in the site information table and on the map of C1.1 need to depict the setbacks set forth within Section 5.12.06.01 of the Zoning Ordinance. Specifically,

Front Yard Setback: 25'

Front Yard Setback (when parking present in front yard): 50'

Side Yard Setback: 15'

Rear Yard Setback: 15'

The building setback dimension along Giles Road (where the line of parking is present) needs to be adjusted to 50 feet, 25 feet elsewhere along Southport Parkway and Giles.

Response: Setback Information and linework has been updated.

- Article 5.15.04.15: Proposed sidewalk into the development from Southport Parkway needs to be not closer than 6 feet to back of curb. All sidewalks need to be 6 inches thick.

Walk connections to restaurants, hotel, and other parts of Southport East are in need of adjustments to improve pedestrian circulation and safety in the area. Redlines of proposed adjustments are attached for review. To provide for additional width in the eastern-most island for a sidewalk, the depth of parking on along Giles Road can be reduced by a foot or two through the use of an overhang for parking (as allowed by 7.09.01 of the Zoning Ordinance). The rest of the site would have to shift accordingly though.

Response: Sidewalk layouts have been updated based on feedback. Sidewalk thickness has been increased to 6".

- Proposed location for potential project directory sign needs to be called out, as well as all menu boards for drive through services.

Response: Additional notation has been added identifying signage. As noted in a previous comment, further discussion regarding lot signage to be further discussed. Menu board locations to be provided by owner as Design Review progresses.

Sheet C2.1

- Grading work will require a grading permit. Refer to the Master Fee Ordinance for details.

Response: Noted.

- Grading plan needs to address a conceptual design of water quality and 2-year peak flow detention, such as indication of bio-basins or under parking lot facilities.

Response: Location of proposed underground detention is shown on sheet C3.1, which will address both water quantity and quality requirements.

- The grading plan submitted does not depict the required berthing of the landscaped areas along Southport Parkway and Giles Road as per the Southport East Design Guidelines.

Response: Berms are shown on C2.1, although may have been hard to see. Additional information has been added.

- Note #4 suggests the proposed grades are in 2' contours, whereas it appears the proposed contours are 1'. Please clarify.

Response: Note has been updated for clarity.

Sheet C3.1

- Disposition of the sanitary sewer needs to be addressed, including any shared maintenance responsibilities.

Response: Noted. Shared maintenance agreement will be created to address concerns.

Sheet L1.1

- Article 5.15.04.08: The proposed landscaping plan is currently under review by the City's third-party design review architect. Review comments will be provided when they are available.

Response: Noted.

Not all utility boxes are depicted along Southport Parkway. Please depict all boxes in the landscaping plan and related vegetative screening. Access doors to boxes cannot be blocked.

Response: Additional utility boxes have been shown, and landscaping adjusted accordingly.

Landscaping plan does not depict the existing Center Identification Sign for the subdivision. Please provide depiction and adjust location of landscaping in relation.

Response: Labels have been added to signage, and landscaping adjusted accordingly.

It appears that a tree is planted within roughly a foot of what appears to be a proposed sign for the development. This can be problematic to either the tree or the sign foundation.

Response: Noted. Tree location has been adjusted.

Please make any necessary adjustments to the Landscaping Plan that may result from the introduction of the light poles, as pointed out in the attached redlined plan set.

Response: Landscaping has been adjusted to fit with added lighting fixtures.

Berming is called out for landscaped areas along Southport Parkway. However, berming is not called out for landscaped areas along Giles Road. Berming should be reflected in the grading plan.

Response: Additional berming labels have been added.

PCSMP

- The Post Construction Storm Water Management Plan is conceptual and more detailed information will be needed as the design is refined.

Response: Noted.

- The drainage report also needs to address the 10-year storm water quantitative requirement.

Response: The final drainage report will address all stormwater requirements.

- Any shared maintenance responsibilities will need to be disclosed.

Response: Noted. Shared maintenance agreement will be created to address concerns.

- It appears that drainage to the south building will drain east to the already- developed Lot 1.

Hydrologic and hydraulic analyses will need to show that there are no adverse impacts to the downstream drainage system.

Response: Proposed grading directs drainage from building and drive thru lane back towards the parking lot, minimizing off-property drainage. Hydraulic analysis will be done as part of final drainage report.

- It appears that drainage improvements on the north building and the grading of the west extents of the project will impact the drainage system within the Giles Road corridor. Systems will need to be evaluated to ensure that there are no adverse compacity and/or maintenance impacts.

Response: Storm sewer system will be designed to ensure no adverse impact to the existing Giles Road drainage system.



May 4, 2020

Philip Niewohner
Olsson Associates, Inc.
2111 S 67th Street, STE #200
Omaha, NE 68106

RE: Planned Unit Development – Second Review Letter
Lot 2 Southport East Replat Two

We have reviewed your resubmittal from this past Friday, May 1st, and have several comments regarding issues which remain to be addressed. While many of the items outlined in the first review letter were adequately addressed, the following concerns remain:

- Please submit an updated Traffic Impact Analysis to address our concerns regarding vehicle congestion and the relatively short stacking length of the Taco Bell drive-thru from the access to the ordering board. We understand from your comments that the owner will be submitting this, but we have not received anything to date.
- Please submit a schedule of construction that denotes project phasing and addresses shared maintenance. We understand from your comments that the owner will be submitting this, but we have not received anything to date.
- Please submit evidence of coordination with the owner of the Hampton Inn regarding the PUD Site Plan and existing cross-parking easement. We understand from your comments that the owner will be submitting this, but we have not received anything to date.
- There are currently no ADA connections shown from this site to the adjacent Hampton Inn, which are necessary to ensure safe pedestrian movement between the hotel and the two proposed restaurants.
- The pedestrian crossing through the southern building's drive through should be short and direct. The parking stall directly across from the sidewalk from this building should be removed to improve this crossing. Additionally, the sidewalk from Lot 6 Southport East Replat Six needs to be accommodated for in the pedestrian plan for this site.

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

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

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

Golf Course
8305 Park View Blvd.
p: 402-339-9147

Library
9110 Giles Rd.
p: 402-537-3900
f: 402-537-3902

Police
7701 South 96th St.
p: 402-331-1582
f: 402-331-7210

Public Buildings & Grounds
8112 Park View Blvd.
p: 402-331-4343
f: 402-331-4375

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

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

The ITE Parking Generation Manual, 4th Ed. is used as a guide to determine parking rates for various businesses. According to this code, the average peak period parking demand is 9.98 vehicles per 1,000 sq. ft. For the proposed project, this would correlate to 63 parking stalls during the peak hours of operation needed, whereas the site plan calls for 93 stalls to be constructed. Additionally, there is a cross-parking agreement with Hampton Inn who's parking lot is rarely full. Hence, the loss of a stall(s) to improve pedestrian safety is possible without having a significant impact on parking.

- Although screening of the parking lot with the proposed shrubs along McDermott Plaza would meet the aesthetic intents of the district, it doesn't appear that there's enough room in the island to accommodate the shrubs with the installation of the sidewalk. Please comment as to if there is enough room for the shrubs to survive long-term if they were to remain.
- Labels were added to the grading plan to denote either a 1' or 2' berm along the street frontages, however, the topographic lines do not reflect this berming. Please correct the plan's topographic lines to accurately reflect the berming.

The deadline to submit the legal ad publication request for a public hearing for the Planning Commission meeting on May 21st was today. Since not all items have been addressed and some remaining concerns have the potential to impact the site plan, we were not able to submit the legal ad request and this item will not be able to be considered at the May 21st Planning Commission meeting. The next Planning Commission meeting will be June 4th. The remaining concerns will need to be satisfactorily addressed by Friday, May 15th at noon in order to be considered for the June 4th Planning Commission meeting.

Let me know if you would like to schedule a meeting to discuss the site plan or any of the issues noted in this letter. Thanks,



Cale Brodersen
Assistant Planner
City of La Vista
cbrodersen@cityoflavista.org
(402) 593-6405

2nd Round Comment Response: Lot 2 Southport East Replat Two

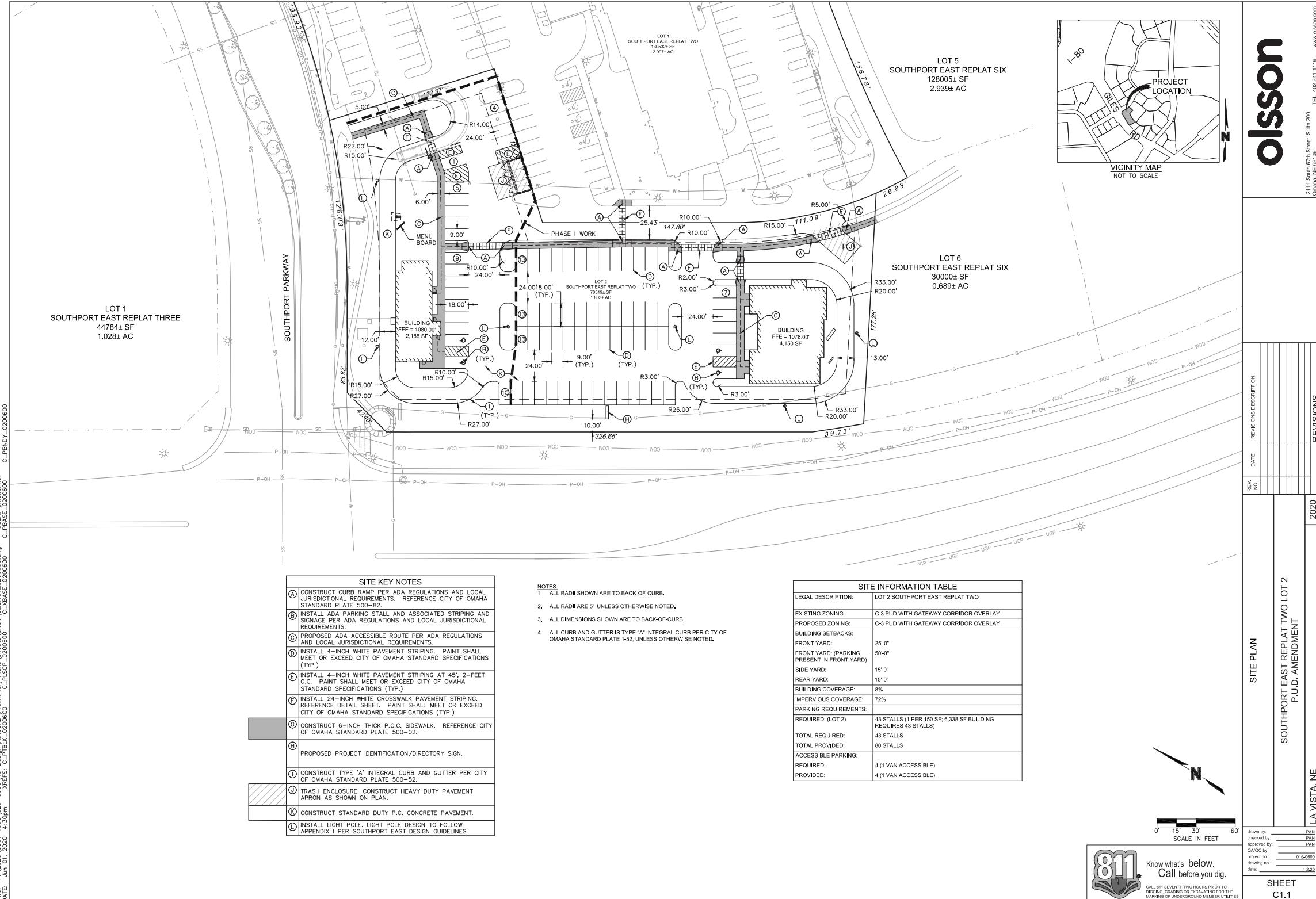
- Please submit an updated Traffic Impact Analysis to address our concerns regarding vehicle congestion and the relatively short stacking length of the Taco Bell drive-thru from the access to the ordering board. We understand from your comments that the owner will be submitting this, but we have not received anything to date.
Response: Based on the updated site plan included, stacking has been provided for eight (8) vehicles from drive thru window. Any separate or further traffic concerns will continue to be addressed through the entitlements process.
- Please submit a schedule of construction that denotes project phasing and addresses shared maintenance. We understand from your comments that the owner will be submitting this, but we have not received anything to date.
Response: Schedule & maintenance document are in progress and will be submitted prior to final approval.
- Please submit evidence of coordination with the owner of the Hampton Inn regarding the PUD Site Plan and existing cross-parking easement. We understand from your comments that the owner will be submitting this, but we have not received anything to date.
Response: Coordination with Hampton Inn to be submitted prior to final approval.
- There are currently no ADA connections shown from this site to the adjacent Hampton Inn, which are necessary to ensure safe pedestrian movement between the hotel and the two proposed restaurants.
Response: Crosswalks and curb ramps have been added for connectivity with the adjacent hotel.
- The pedestrian crossing through the southern building's drive through should be short and direct. The parking stall directly across from the sidewalk from this building should be removed to improve this crossing. Additionally, the sidewalk from Lot 6 Southport East Replat Six needs to be accommodated for in the pedestrian plan for this site.
The ITE Parking Generation Manual, 4th Ed. is used as a guide to determine parking rates for various businesses. According to this code, the average peak period parking demand is 9.98 vehicles per 1,000 sq. ft. For the proposed project, this would correlate to 63 parking stalls during the peak hours of operation needed, whereas the site plan calls for 93 stalls to be constructed. Additionally, there is a cross-parking agreement with Hampton Inn who's parking lot is rarely full. Hence, the loss of a stall(s) to improve pedestrian safety is possible without having a significant impact on parking.
Response: The pedestrian crossing through the proposed driveway will continue to be evaluated. Sidewalk connection from Lot 6 has been proposed to cross and connect with the existing Hampton Inn sidewalk for a small stretch to also allow proposed parking stalls to remain.

- Although screening of the parking lot with the proposed shrubs along McDermott Plaza would meet the aesthetic intents of the district, it doesn't appear that there's enough room in the island to accommodate the shrubs with the installation of the sidewalk. Please comment as to if there is enough room for the shrubs to survive long-term if they were to remain.

Response: The landscaping in question will continue to be evaluated and finalized prior to final Design Review approval.

- Labels were added to the grading plan to denote either a 1' or 2' berm along the street frontages, however, the topographic lines do not reflect this berming. Please correct the plan's topographic lines to accurately reflect the berming.

Response: Grading has been updated to more clearly reflect this berming.



REV. NO.	DATE	REVISIONS DESCRIPTION

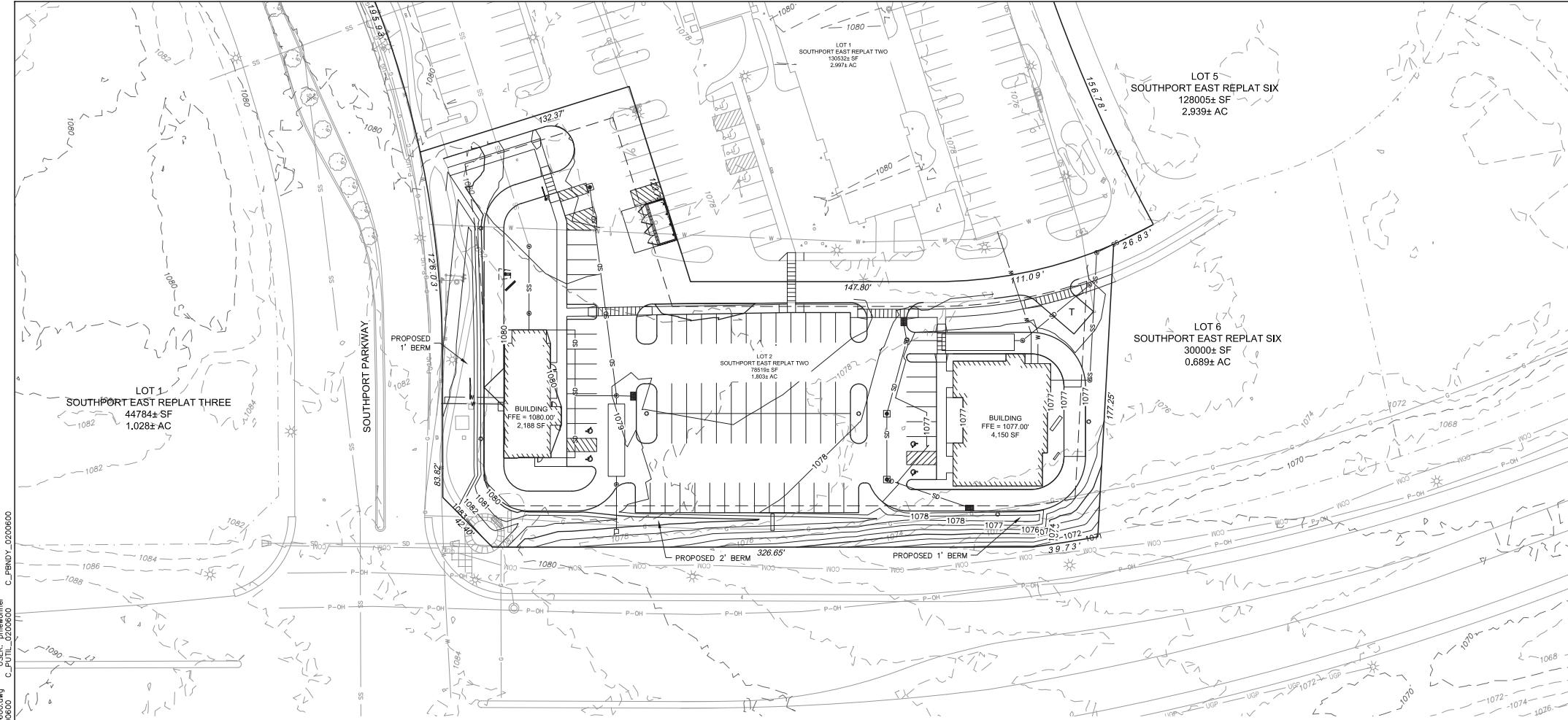
REVISIONS

GRADING PLAN	
SOUTHPORT EAST REPLAY TWO LOT 2 P.U.D. AMENDMENT	2020

LA VISTA, NE

drawn by:	PAN
checked by:	PAN
approved by:	PAN
QA/QC by:	
project no.:	016-0600
drawing no.:	
date:	4.2.20

SHEET
C2.1



GRADING INFORMATION TABLE		
AREA	CONTOURS REPRESENT	CONTRACTOR TO GRADE TO
STREETS/INTERNAL DRIVES	FINISHED GROUND (TOP OF SLAB)	SUBGRADE (REF. SITE PLANS FOR PAVEMENT THICKNESS)
PARKING LOT PAVED AREAS	FINISHED GROUND (TOP OF SLAB)	SUBGRADE (REF. SITE PLANS FOR PAVEMENT THICKNESS)
BUILDING AREAS	FINISHED GROUND (FINISHED FLOOR ELEV.)	SUBGRADE (REF. ARCHITECTURAL PLANS FOR FLOOR SLAB AND SUBBASE THICKNESS)
ALL OTHER NON-PAVED/ NON-BUILDING AREAS	FINISHED GROUND	6" BELOW CONTOURS (FOR TOPSOIL)*

* NOTE: AFTER COMPLETION AND APPROVAL OF MASS GRADING BY ENGINEER, ENTIRE SITE SHALL RECEIVE 6" MIN. OF TOPSOIL FOR FINAL SEEDING AND STABILIZATION.

NOTES:

1. CONTOURS REPRESENT TOP OF SLAB ELEVATION IN PAVED AREAS AND FINISHED GRADE ELEVATION IN NON-PAVED AREAS, UNLESS OTHERWISE NOTED.
2. CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDING AND GARAGE PAD AREAS AND PAVEMENTS.
3. REFER TO THE GRADING INFORMATION TABLE FOR CONTOUR INFORMATION.
4. CONTOURS ARE SHOWN AT 2' INTERVALS FOR EXISTING AND 1' INTERVALS FOR PROPOSED FOR CLARITY.

LEGEND

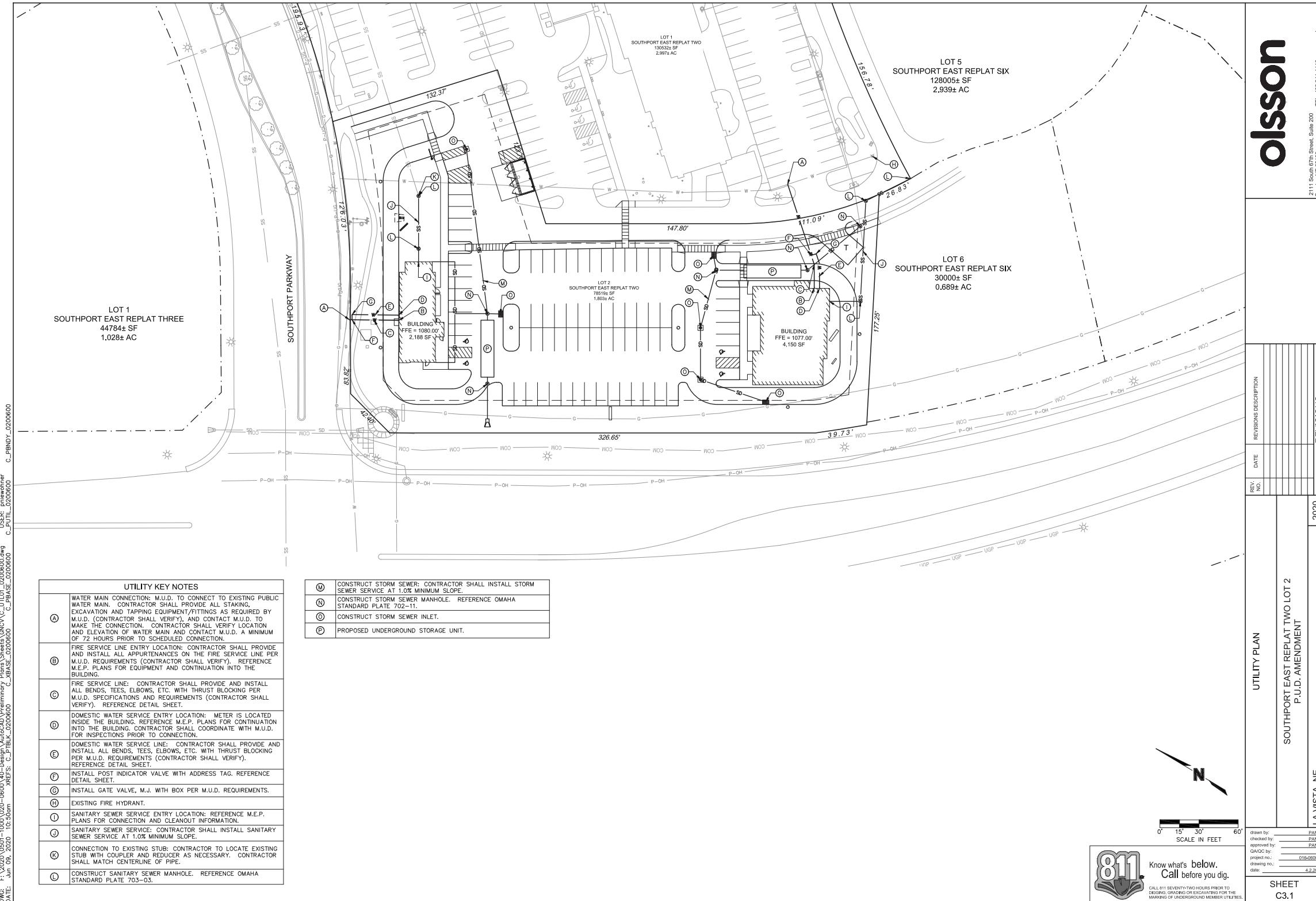
— 11XX —	EXISTING MAJOR CONTOUR
— 11XX —	EXISTING MINOR CONTOUR
— 11XX —	PROPOSED MAJOR CONTOUR
— 11XX —	PROPOSED MINOR CONTOUR

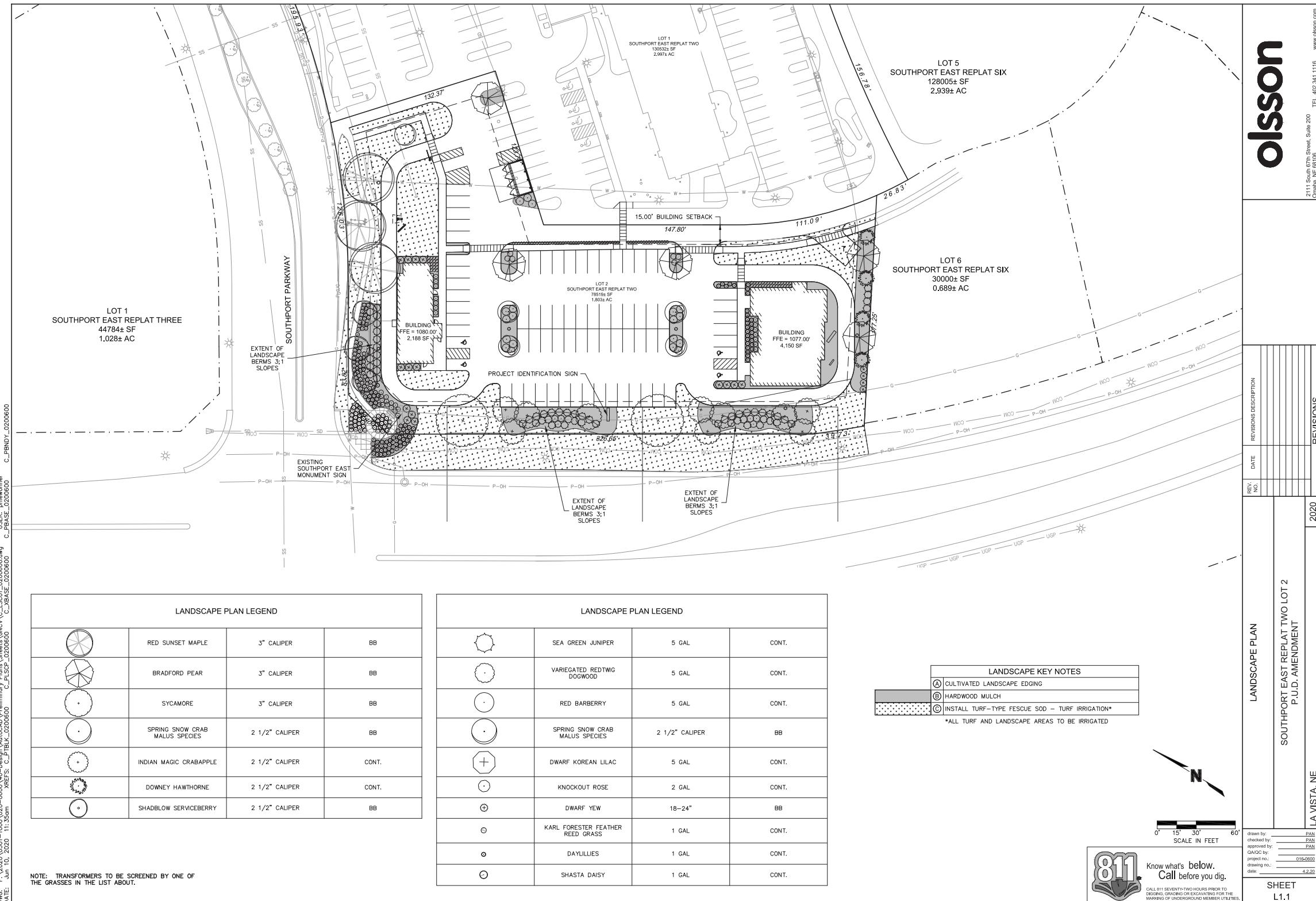
0 15' 30' 60'

SCALE IN FEET



Know what's below.
Call before you dig.
CALL 811 SEVENTY-TWO HOURS PRIOR TO
DESIGN, GRADING OR EXCAVATING FOR THE
MARKING OF UNDERGROUND MEMBER UTILITIES.





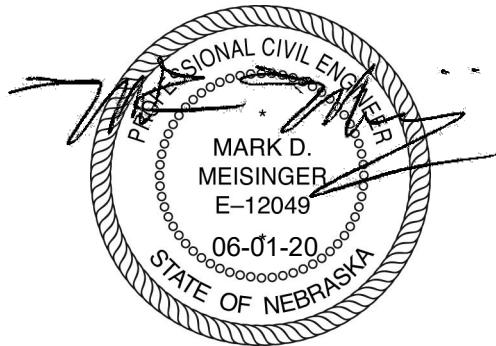
June 1, 2020

MEMORANDUM

TO: Mr. Tony Saldi and Mr. Jaime Saldi
CPM-SFI Southport / HAZA Bell of Nebraska
402.393.1967 / 402.871.4687
Tony.saldi@gmail.com / saldij@me.com

FROM: Mark Meisinger, PE, PTOE
Timothy Adams, EI
Felsburg Holt & Ullevig

SUBJECT: Southport Development Queueing Analysis
FHU Reference No. 20-100-08



Felsburg Holt & Ullevig (FHU) has completed a Queueing Analysis for CPM-SFI Southport / HAZA Bell of Nebraska evaluating the peak hour queuing of the drive-through lane at the proposed Taco Bell on the northeast corner of Giles Road with Southport Parkway in La Vista, NE. Average arrival rates and brand standard service times of the drive-through lane were provided to FHU by Taco Bell.

Study Area & Geometrics

To address peak hour queue lengths, the focus of this study was on the proposed drive-through. It is a concern of the City of La Vista that queueing at the Taco Bell may spill out of the drive-through lane and adjacent drive onto Southport Parkway. The study evaluated the lunch peak period from 11:00 AM to 2:00 PM and the dinner peak period from 5:00 PM to 8:00 PM.

In the study area, Southport Parkway is a four-lane median separated street with a posted speed limit of 25 miles per hour. The existing right-in (Entrance Only) driveway to the Hampton Inn & Suites, which the proposed Taco Bell will utilize, has an auxiliary right-turn bay from Southport Parkway that is approximately 85 feet in length. The proposed site plan is included in the **Appendix**.

Queueing Analysis

Queueing is a consequence of two variables, arrival rate and departure rate. The arrival rate is the average number of vehicles entering the queue over a given time period. The departure rate is the average number of vehicles exiting the queue over a given time period. The departure rate is also known as the processing rate. Using the arrival and departure rates, the expected number of vehicles within the queue can be calculated, as well as the probability of a given number of vehicles within the queue.

Arrival Rate

Based on Omaha area Taco Bells, there is an average lunch peak hour arrival of 93 cars between 11:00 AM and 2:00 PM and a dinner arrival of 77 cars between 5:00 PM and 8:00 PM. The 12:00 PM to 1:00 PM hour was identified as the busiest of the six hours; it was assumed that 50% of vehicles that arrive during the lunch period arrive during this peak hour. This equates to an arrival rate of 46.5 vehicles per hour.

Departure Rate

Taco Bell has a "brand standard" processing rate of 3.5 minutes (210 seconds) from the order board to pick-up window for order completion. The standard distance between the order board and payment/food window is 80 feet, as shown in the proposed site plan. It is assumed for this study that each vehicle

occupies 20 feet of space. This means that there are four vehicles within the 80 feet being processed every 3.5 minutes, equating to a processing rate of 52.5 seconds per vehicle or 68.6 vehicles per hour.

Expected Number of Vehicles in Queue

Based on the proposed site plan, included in the **Appendix**, the number of vehicles that can be queued at or in advance of the order board is four vehicles. It was assumed that the queueing would have uncapacitated M/M/1 (random arrival and random departure) characteristics. The following formula was used to calculate the expected number of vehicles in the queue during the peak hour.

$$\text{Expected Number of Vehicles in Queue} = \frac{\text{Arrival Rate}}{\text{Departure Rate} - \text{Arrival Rate}}$$

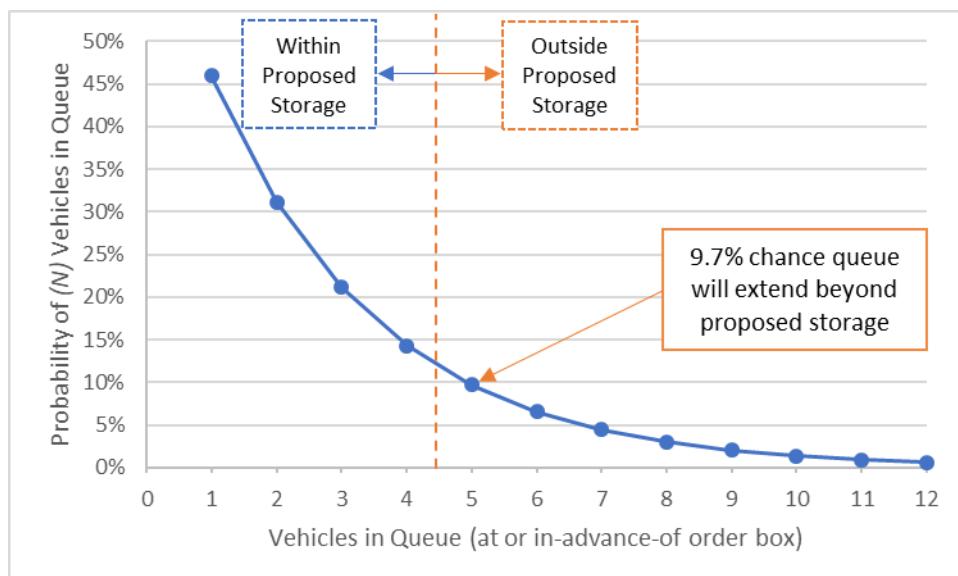
It is expected that the queue will have 2.1 vehicles queued at or in advance of the order board at any given time during the peak hour of 12:00 PM to 1:00 PM.

Probability of (N) Vehicles in Queue

Based on the same assumptions as above, the following formula was used to calculate the probability of (N) vehicles being present within the queue.

$$\text{Probability of (N) Vehicles in Queue} = \left(\frac{\text{Arrival Rate}}{\text{Departure Rate}} \right)^{N+1}$$

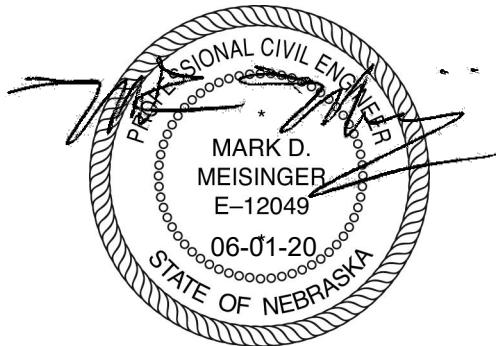
Based on the proposed site plan, included in the **Appendix**, four vehicles are able to queue at or in-advance-of the order board. The probability of five vehicles queued (in excess of the four-vehicle storage area) during the peak hour lunch period is 9.7%. The graph below shows the probability of a given number of vehicles queued.



Summary and Recommendations

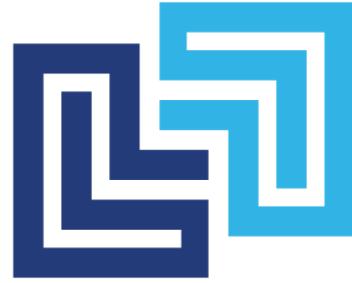
Based the results of this study, we offer the following conclusions and recommendations:

- The expected number of vehicles within the queue beyond the order board during the 12:00 PM to 1:00 PM lunch peak hour is expected to be 2.1 vehicles.
- The probability of the queue length extending beyond the proposed site plan's storage area of four cars at or in-advance-of the order box is 9.7% during the lunch peak hour. The storage capacity could realistically accommodate a further two vehicles when considering additional capacity up to the entering lane from Southport, this would lower the probability of overflow to 4.5% during the lunch peak hour.
- **It is recommended** that proposed site plan as shown in the **Appendix** will adequately accommodate traffic demand for the proposed site development



AGENDA ITEM 4B

**Zoning Ordinance Amendment—
Sections 2.20, 7.01, and 7.03 (Signs)**



MEMO

TO: Planning Commission

FROM: Cale Brodersen, Assistant Planner

DATE: 6/18/2020

RE: Public Hearing regarding text amendments to the Zoning Ordinance – Sections 2.20, 7.01, and 7.03 (Signs)

Staff have recently received several inquiries regarding the use of currently prohibited sign types. Staff are proposing zoning text amendments which creates several new sign types and the appropriate circumstances for their use, provides further clarification and cleanup for the requirements and definitions of several existing sign types, and exempts signs for public school facilities from the signage requirements. The primary proposed changes to the signage regulations include:

- Allows for the use of blade signs on multi-story buildings in the Mixed-Use City Centre Zoning District for the following uses: event centers, meeting halls, or public facilities. A blade sign is a type of projecting sign that is particularly effective in areas with heavy foot traffic.
- Provides for the ability to place roof signs that advertise an entire district or development, in addition to a building or use in the Mixed-Use City Centre Zoning District. Roof signs can be helpful in creating a cohesive identity and sense-of-place for a development or district, and would match the overall design style of the Mixed-Use City Centre District well.
- Allows for the use of marquee signs for event centers, meeting halls, or public facilities in the Mixed-Use City Centre District. Marquee signs are a stylized sign type commonly used for theaters and event centers to advertise show times and events, and would be appropriate in the pedestrian-oriented Mixed-Use City Centre District.
- Clarifies that signs for public school facilities are exempt from the signage requirements of the La Vista Zoning Ordinance. Under the current Zoning Ordinance, public schools in residential districts are not able to have wall signs or electronic message boards for ground-monument signs that can help

communicate important information to parents or guardians like dates for school closings or events. Signs for public facilities or public/civic events are currently exempt from the signage requirements, and staff conclude that it would be appropriate for public school facilities to be included in this exemption along with public facilities.

Overall, staff believes that the proposed amendments to the signage regulations of the Zoning Ordinance will provide for greater flexibility in the choice of signage types without negatively impacting overall urban design with an overabundance of advertising message.

A redlined copy of the proposed amendments is attached.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed zoning text amendment.

Section 2.20 - Definitions: S

SATELLITE DISH ANTENNA shall mean a round, parabolic antenna incorporating a reflective surface that is solid, open mesh, or bar configured and is in the shape of a shallow dish, or cone and used to transmit and/or receive radio or electromagnetic waves.

SCREENING shall mean a structure *or* planting that conceals from view from public ways the area behind such structure or planting.

SELF-SERVICE STORAGE FACILITY shall mean a building or group of buildings containing individual, compartmentalized, and controlled access stalls or lockers for storage.

SERVICE STATIONS shall mean buildings and premises where the primary use is the supply and dispensing at retail of motor fuels, lubricants, batteries, tires, and motor vehicle accessories and where light maintenance activities such as engine tune-ups, lubrications, and washing may be conducted, but not including heavy maintenance and repair such as engine overhauls, painting, and body repair.

SETBACK, FRONT YARD shall mean the line which defines the depth of the required front yard. Said setback line shall be parallel with the right-of-way line *or other access way*. (*Ordinance No. 1083, 2-17-09*)

SETBACK, REAR YARD OR SIDE YARD shall mean the line which defines the width or depth of the required rear or side yard. Said setback line shall be parallel with the property line, *offset* by the perpendicular distance prescribed for the yard in the district. (*Ordinance No. 1083, 2-17-09*)

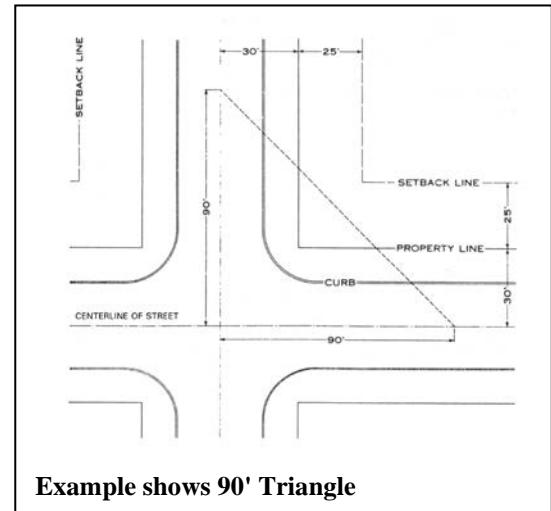
SHOPPING CENTER shall mean a group of commercial establishments planned, constructed, and managed as a total entity with customer and employee parking provided on-site, provisions for goods delivery that is separated from customer access, aesthetic considerations, and protection from the elements.

SHOPPING CENTER, COMMERCIAL STRIP shall mean a commercial development, usually one store deep, that fronts on a major street for a distance of one city block or more. Includes individual buildings on their own lots, with or without on-site parking and small linear shopping centers with shallow on-site parking in front of the stores.

SHOPPING CENTER, OUTLET shall mean a commercial development that consists mostly of manufacturers' outlet stores selling their own brands at a discounted price. This definition includes all forms of centers, such as strip style, enclosed mall style, and village clustered style centers.

SIGHT TRIANGLE is an area at a street intersection in which nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two-and-a-half (2 1/2) feet and ten (10) feet above the grades of the bottom of the curb of the intersecting streets, measured from the point of intersection of the centerline of the streets, sixty (60) feet in each direction along the centerline of the streets. At the intersection of major or *other* arterial streets, the sixty (60) foot distance shall be increased to ninety (90) feet for each arterial leg of the intersection. (*Ordinance No. 891, 2-04-03*)

SIGN shall mean and include any outdoor display, declaration, device, figure, drawing, illustration, message, placard, poster, billboard, insignia, or other things which are designed, intended, or used for direction, information, identification, or to advertise, to inform, or to promote any business, product activity, service, or any interest, except the following:



Signs less than fifty (50) square feet in area and less than twenty-five (25) feet in height of a public or quasi-public nature or other official notices that are authorized by the State of Nebraska, City of La Vista, or a Federal Government Agency, directional, informational, or other official signs or notices authorized by law.

SIGN, ANIMATED shall mean any sign that uses movement or change of lighting to depict action or create a special effect or scene.

SIGN AREA shall refer to that portion of a sign on which copy can be placed but not including the minimal supporting framework or bracing. The area of individually painted letter signs, individual letter signs or directly or indirectly illuminated individual letter signs, shall be calculated on the basis of the smallest geometric figure that will enclose the entire copy area of the sign. Any such calculation shall include the areas between the letters and lines, as well as the areas of any devices, illuminated or non-illuminated. (*Ordinance No. 1083, 2-17-09*)

SIGN, AUDIBLE shall mean any sign that conveys either a written message supported by an audible noise including music, spoken message, and / or sounds to attract attention to the sign. Audible signs also include signs conveying only the audible noise including music, spoken message, and / or sounds to attract attention.

SIGN, BANNER shall mean any sign of lightweight fabric or similar material that is permanently mounted to a pole or building by a permanent frame at one or more edges. National flags, state or municipal flags, or official flag of any institution or business shall not be considered banners. Banner signs shall not represent a commercial message.

SIGN, BILLBOARD shall mean a sign that identifies or communicates a commercial or noncommercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located.



Sign, Banner

SIGN, BLADE shall mean a type of projecting sign that is perpendicular to the building, meant to gain visibility for large buildings, or to direct traffic within a pedestrian-oriented development.

SIGN, BUILDING MARKER shall mean any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

SIGN, CANOPY shall mean any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy. (*Ordinance No. 1083, 2-17-09*)



Sign, Canopy

SIGN, CENTER IDENTIFICATION shall mean any sign erected to provide direction to a development including multiple uses and / or structures within the development. Center Identification signs shall include the name of said development and may include the names of major tenants of the development. Center Identification Signs shall typically be similar to Ground (Monument) signs. (*Ordinance No. 1083, 2-17-09*)

SIGN, CONSTRUCTION shall mean a temporary sign identifying an architect, engineer, contractor, subcontractor, and/or building material supplier who participates in construction on the property on which the sign is located. (*Ordinance No. 871, 10-15-02*); (*Ordinance No. 1083, 2-17-09*)

SIGN, ELECTRONIC MESSAGE BOARD shall mean any sign capable of displaying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means. (Ordinance No. 1144, 5-17-11)

SIGN, FLASHING shall mean a sign, which, by method or manner of illumination, flashes on or off, winks, or blinks ~~with varying light intensity~~, shows motion, or creates the illusion of being on or off.

SIGN, FREESTANDING shall mean any sign supported by uprights or braces placed on or in the ground, which is used principally for advertising or identification purposes and is not supported by any building.

SIGN, IDENTIFICATION shall mean a sign giving the nature, logo, trademark, or other identifying symbol; address; or any combination of the name, symbol, and address of a building, business, development, or establishment on the premises where it is located.

SIGN, ILLUMINATED shall mean a sign illuminated in any manner by an artificial light source.

SIGN, INCIDENTAL shall mean a sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking," "entrance," "loading only," "telephone," and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental. Incidental signs may be attached or painted on the wall, or they may be freestanding signs. (Ordinance No. 1083, 2-17-09)

SIGN, MARQUEE shall mean ~~a sign affixed to or made a part of any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.~~

SIGN, MONUMENT shall mean a sign mounted directly to the ground with a maximum height not to exceed ten (10) feet.

SIGN, NAMEPLATE shall mean a sign not exceeding two (2) square feet for each dwelling.

SIGN, NONCONFORMING shall mean any sign that does not conform to the requirements of this ordinance

SIGN, OFF-PREMISES shall mean a sign including the supporting sign structure which directs the attention of the general public to a business, service, or activity not usually conducted, or a product not offered or sold, upon the premises where such sign is located.

SIGN, ON-PREMISE shall mean a sign, display, or device-advertising activities conducted on the property on which such sign is located.

SIGN, PENNANT shall mean any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

SIGN, POLE shall mean a sign that is mounted on a freestanding pole or other support so that the bottom edge of the sign face is six (6) feet or more above grade.



Sign, Monument
Sign, Electronic Message
Sign, Flashing



Sign, Monument

SIGN, PORTABLE shall mean a sign, usually of a temporary nature, not securely anchored to the ground or to a building or structure and which obtains some or all of its structural stability with respect to wind or other normally applied forces by means of its geometry or character.

Examples are: menu and sandwich board signs, balloons used as signs, umbrellas used for advertising, and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations (deliveries and transportation of personnel) of the business. This definition also includes any and all sandwich boards supported by human beings or animals.

SIGN, PROJECT DIRECTORY shall mean a sign fronting on a road containing only the name of the principal use and directional arrow to the principal use. Project directory signs are intended to direct attention to planned multi-tenant developments which are not easily accessible off of such roads and where on-premise signage for that development (or any tenants within the development) would not otherwise be visible by the motorists traveling on nearby arterial or collector roads at the closest point of access. (Ordinance No. 1144, 5-17-11)

SIGN, PROJECTING shall mean a projecting sign attached to a building in such a manner that its leading edge extends more than eight (8) inches beyond the surface of such building or wall.

SIGN, REAL ESTATE shall mean a temporary sign that identifies property or properties that are for sale or lease.



Sign, Projecting

SIGN, ROOF shall mean a sign identifying the name of a business, enterprise, ~~district, or development, or the product sold on the premises~~ and erected on or over the roof of a building. (Ordinance No. 1083, 2-17-09)

SIGN SETBACK shall mean the horizontal distance from the property line to the nearest projection of the existing or proposed sign.

SIGN, SUBDIVISION shall mean a sign erected on a subdivision which identifies the platted subdivision where the sign is located.

SIGN SURFACE shall mean the entire area of a sign.

SIGN, SUSPENDED shall mean a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.



Sign, Subdivision

SIGN, TEMPORARY shall mean a sign constructed of cloth, fabric, or other material with or without a structural frame intended for a limited period of display, including displays for holidays or public demonstrations. Temporary signs shall include portable signs as defined in this section.

SIGN, VIDEO shall mean any on-premises or off-premises sign that conveys either a commercial or non-commercial message, including a business or organization name, through means of a television or other video screen. *This definition shall include electronic message board signs. (Ordinance No. 1083, 2-17-09)*

SIGN, WALL shall mean any sign attached parallel to, but within eight inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

SIGN, WINDOW shall mean any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

SIGN BASE shall mean any decorative, functional element extending upward from grade to the start of the sign.

SIMILAR USE shall mean the use of land, buildings, or structures of like kind or general nature with other uses within a zoning district as related to bulk, intensity of use, traffic generation and congestion, function, public services requirements, aesthetics or other similarities.

SITE PLAN shall mean a plan, prepared to scale, showing accurately and with complete dimensioning, the boundaries of a site and the location of all buildings, structures, uses, drives, parking, drainage, landscape features, and other principal site development improvements for a specific parcel of land.

SOCIAL CLUB OR FRATERNAL ORGANIZATIONS shall mean an association of persons (whether or not incorporated), religious or otherwise, for a common purpose, but not including groups which are organized primarily to render a service carried on as a business for profit. *(Ordinance No. 1083, 2-17-09)*

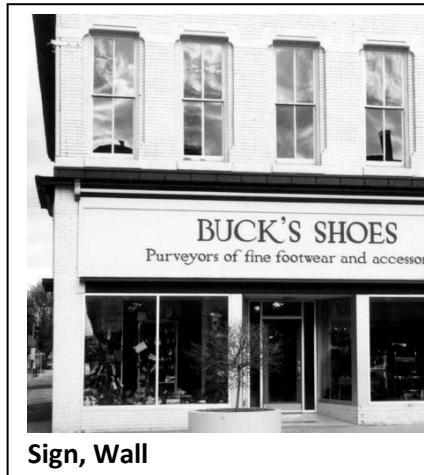
SOLAR ENERGY CONVERSION SYSTEM (SECS) shall mean any device, such as a solar panel or solar collector or any combination thereof, which collects and converts solar energy to a form of usable energy. This includes both Building-Mounted Systems and Ground-Mounted System. *(Ordinance No. 1389, 3-3-2020)*

SOLID WASTE shall mean waste materials consisting of garbage, trash, refuse, rubble, sewage, offal, dead animals, or paunch manure.

SPECIAL or VOCATIONAL TRAINING FACILITIES shall mean a specialized instructional establishment that provides on-site training of business, commercial, and/or trade skills such as accounting, data processing, and computer repair. This classification excludes establishments providing training in an activity that is not otherwise permitted in the zone. Incidental instructional services in conjunction with another primary use shall not be included in this definition. *(Ordinance No. 1083, 2-17-09)*

SPECIFIED ANATOMICAL AREAS shall mean anatomical areas consisting of:
Less than completely and opaquely covered human genitals, pubic region, buttock, anus, or female breast(s) below a point immediately above the top of the areola; and,
Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES shall mean activities consisting of the following:
Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship, and any of the following sexually-oriented acts of conduct: Anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zoerasty; or



Clearly depicted human genitals in the state of sexual stimulation, arousal, or tumescence; or Use of human or animal ejaculation, sodomy, oral copulation, coitus, or masturbation; or Fondling or touching of nude human genitals, pubic region, buttocks, or female breast(s); or Situation involving a person or persons, any of whom are nude, clad in undergarments or in sexually revealing costumes, and who are engaged in activities involving the flagellation, torture, fettering, binding, or other physical restraint or any such persons; or Erotic or lewd touching, fondling, or other sexually-oriented contact with an animal by a human being; or Human excretion, urination, menstruation, vaginal, or anal irrigation.

STATE shall mean the State of Nebraska.

STORAGE shall mean the keeping, in a roofed or unroofed area, of any goods, junk, material, merchandise, or vehicles on the same tract or premises for more than thirty (30) days.

STORY shall mean a space in a building between the surface of any floor and the surface of the floor above, or if there is not floor above, then the space between such floor and the ceiling or roof above.

STREET shall mean a public thoroughfare or right-of-way dedicated, deeded, or condemned for use as such, other than an alley, which affords the principal means of access to abutting property including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare except as excluded in this Regulation.

STREET, ARTERIAL shall mean a street designed with the primary function of efficient movement of through traffic between and around areas of a City, City, or county with controlled access to abutting property.

STREET, COLLECTOR shall mean a street or high way, which is intended to carry traffic from a minor street to major streets. Collector streets are usually the principal entrance streets to residential developments and the streets for circulation within the development.

STREET FRONTAGE shall mean the distance for which a lot line of a zone lot adjoins a public street, from one lot line intersecting said street to the furthest distant lot line intersecting the same street.

STREET, LOCAL shall mean a street designed for local traffic that provides direct access to abutting residential, commercial, or industrial properties.

STREET, PRIVATE shall mean an open, unoccupied space, other than a street or alley dedicated to the public, but permanently established as the principal means of vehicular access to abutting properties. (*Ordinance No. 1083, 2-17-09*)

STREETSCAPE shall mean the scene as may be observed along a street *right-of-way* composed of natural and man-made components, including buildings, paving, plantings, *poles, signs, benches, and other miscellaneous amenities*. (*Ordinance No. 1083, 2-17-09*)

STRUCTURE shall mean anything constructed or built, any edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, which requires location on the ground or is attached to something having a location on the ground, including swimming and wading pools and covered patios, excepting outdoor areas such as paved areas, walks, tennis courts, and similar recreation areas.

STRUCTURE, TEMPORARY shall mean a structure permitted as a temporary use. (*Ordinance No. 1083, 2-17-09*)

STRUCTURAL ALTERATION shall mean any change in the support members of a building, such as in a bearing wall, column, beam or girder, floor or ceiling joists, roof rafters, roof diaphragms, foundations, piles, or retaining walls or similar components.

SUBDIVISION shall mean the division of land, lot, tract, or parcel into two or more lots, parcels, plats, or sites, or other divisions of land for the purpose of sale, lease, offer, or development, whether immediate or future. (*Ordinance No. 1083, 2-17-09*)

ARTICLE 7: SUPPLEMENTAL REGULATIONS

Section 7.01 Sign Regulations

7.01.01 **Purpose**

The purpose of these sign regulations are: to encourage the effective use of signs as a means of communication in the city; to maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign regulations. These sign regulations are adopted under the zoning authority of the city in furtherance of the more general purposes set forth in the zoning ordinance.

7.01.02 **Applicability**

A sign may be erected, placed, established, painted, created, or maintained within the city and the city's extraterritorial zoning jurisdiction only in conformance with the standards, procedures, exemptions and other requirements of these sign regulations.

7.01.03 **Definitions and Interpretation**

Words and phrases used in this ordinance shall have the meanings set forth in Section 2. Principles for computing sign area and sign height are contained in Section 7.01.04.

7.01.04 **Computations**

1. *Computation of Area of Individual Signs*

The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing as a whole, representation, emblem, or other display as a whole, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly identical to the display itself.

2. *Computation of Area of Multi-faced Signs*

The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of one of the faces.

3. *Computation of Height*

The height of a sign shall be computed as the distance from the grade at the base of the sign, or from the grade immediately below the sign in the case of Wall Signs, at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be from finished grade. Any berms shall be construed to be a part of the sign base and added to the overall height of the sign.

7.01.05 Permitted Signs and Limitations

1. **Ground Monument**
 - A. Monument signs shall be located along the frontage of the zoned lot. All signs shall be of permanent construction and are subject to the provisions of local codes and ordinances. On corner lots, the monument sign may be placed on either frontage.
 - B. All ground monument signs shall be located on the same lot as the advertised use.
 - C. Signs shall contain only the name or trademark of the business, building or complex which it identifies.
 - D. With the exception of change panels permitted for gas stations to advertise gasoline prices, no change panels, advertising or names of individual tenants will be allowed.
 - E. Setbacks for all ground monument signs are ten (10) feet, no setbacks are required in the MU-CC District.
 - F. The following criteria apply to Ground Monument signs:

District	Design Limitations for Ground Monuments		
	Max. Size	Max. Height	Max. Number
TA	32 square feet	10 feet	One (1) per lot frontage
R-1	32 square feet	10 feet	One (1) per lot frontage
R-2	32 square feet	10 feet	One (1) per lot frontage
R-3	32 square feet	10 feet	One (1) per lot frontage
R-4	32 square feet	10 feet	One (1) per lot frontage
C-1	32 square feet	10 feet	One (1) per lot frontage
C-2	32 square feet	10 feet	One (1) per lot frontage
C-3	50 square feet	10 feet	Two (2) per lot frontage
MU-CC	32 square feet	10 feet	One (1) per lot frontage
I-1	32 square feet	10 feet	One (1) per lot frontage
I-2	32 square feet	10 feet	One (1) per lot frontage
PUD	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district

2. **Center Identification Signs**
 - A. All Center Identification signs shall be a ground monument style sign.
 - B. *A maximum of two Center Identification signs per development shall be allowed. No two signs shall be allowed closer than five-hundred (500) feet to each other on the same side of the street, measured along the edge of the street.*
 - C. All Center Identification signs shall be constructed in a manner that is permanent.
 - D. Acceptable materials include:
 - Exterior Insulation Finish System (EIFS)
 - Brick
 - Split face Concrete Masonry Units
 - Stone
 - Metal
 - Simulated Acrylic, or
 - Other materials provided said design is reflective of the character of the use.
 - E. All Center Identification signs shall advertise only the name of the development *and/or major tenants*, unless in compliance with Subsection G below.
 - F. Setbacks for all Center Identification Signs shall be twenty (20) feet along a street designated as an arterial or collector and ten (10) feet along any street designated as a local, minor or private street.
 - G. Change panels and/ or changeable copy may be allowed provided:
 - Signs shall only include business names *or logos*
 - Fonts shall be similar to that of the development name
 - Said panels and / or copy match in color and material to the overall sign.
 - H. *Electronic Message Boards shall only be allowed as part of a Center Identification Sign, provided the following:*
 - *No more than one-half of the permitted sign area shall be used for changeable copy or electronic message board signs.*
 - *The board may be double-faced.*

- *Each board shall be permanently installed or located.*
- *Electronic messages shall not be animated or flash continuously (blinking) in any manner.*
- *Electronic message boards must use automatic level controls to reduce light levels at night and under cloudy and other darkened conditions, in accordance with the standards set forth in this sub-section. All electronic message boards must have installed ambient light monitors, and must at all times allow such monitors to automatically adjust the brightness level of the electronic sign based on ambient light conditions. Maximum brightness levels for electronic message boards may not exceed 5000 nits when measured from the signs face at its maximum brightness, during daylight hours, and 500 nits when measured from the signs face at its maximum brightness between sunset and sunrise, as those times are determined by the National Weather Service.*
- *The message cannot change copy at intervals of less than one (1) minute. Changes of message image must be instantaneous as seen by the human eye and may not use fading, rolling, window shading, dissolving, or similar effects as part of the change.*

I. No more than 50% of the sign area or change panel area may be dedicated to advertise any single tenant.

I.J. The following criteria apply to Center Identification signs:

District	Design Limitations for Center Identification Signs		
	Max. Size	Max. Height	Max. Number
TA			
R-1			
R-2			
R-3			
R-4			
C-1	100 square feet	20 feet	One (1) per main entrance but not more than two (2) per street frontage of the development
C-2	100 square feet	20 feet	One (1) per main entrance but not more than two (2) per street frontage of the development
C-3	150 square feet	24 feet	One (1) per main entrance but not more than three (3); plus, one (1) when abutting Interstate 80
MU-CC	150 square feet	24 feet	One (1) per main entrance but not more than two (2) per street frontage of the development
I-1	100 square feet	20 feet	One (1) per main entrance but not more than three (3); plus, one (1) when abutting Interstate 80
I-2	100 square feet	20 feet	One (1) per main entrance but not more than three (3); plus, one (1) when abutting Interstate 80
PUD	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district

(Ordinance No. 883, 11-19-02) (Ordinance No. 896, 2-04-03) (Ordinance No. 1145, 5-17-11)

3. **Wall Signs**

- A. All wall signs shall be mounted to the primary face of the use, *unless otherwise substituted by the Planning Department. (Ordinance No. 988, 4-18-06)*
- B. For multi-tenant buildings, maximum sign size for each tenant will be based on the width of the storefront of the bay that they occupy.
- C. The following criteria apply to Wall Signs:

District	Design Limitations for Wall Signs		
	Max. Permitted Sign Area	Max. Height	Max. Number
TA	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
R-1			
R-2			
R-3			
R-4			
C-1	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
C-2	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
C-3	2.5 square feet per lineal foot of building / storefront to a Max. of 600 sq. ft.	45 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
MU-CC	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	90 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
I-1	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
I-2	1.5 square feet per lineal foot of building / storefront to a Max. of 400 sq. ft.	45 feet above grade	One (1) sign area per main frontage More than One Frontage: Total maximum sign area shall not exceed 150% of the initial permitted sign area.
PUD	The maximum allowed within the underlying zoning district, <i>or otherwise prescribed in the approved P.U.D Plan of said lot/development.</i>	The maximum <i>building height allowed in the approved P.U.D Plan of said lot/development, or as otherwise prescribed in such P.U.D.</i>	The maximum allowed within the underlying zoning district, <i>or otherwise prescribed in the approved P.U.D Plan of said lot/development.</i>

(Ordinance No. 988, 4-18-06)

4. ***Incidental Signs***

- A. Incidental signs shall be placed in locations along the primary face of the building.
- B. Incidental signs may be placed on a second building face, when the building has dual frontage.
- C. The following criteria apply to Incidental Signs:

District	Design Limitations for Incidental Signs		
	Max. Size	Max. Height	Max. Number
TA	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
R-1	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
R-2	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
R-3	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
R-4	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
C-1	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
C-2	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
C-3	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
MU-CC	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
I-1	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
I-2	25 sq. ft. of area each	45 feet above grade	One (1) per forty lineal feet of storefront
PUD	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district

5. ***Directional Signs***

- A. Directional signs may be erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic for purposes other than those of the Project Directory Signs. Example uses are arrow signs directing vehicles to a drive-thru lane or pedestrians to a building entrance.
- B. Directional signs shall contain no advertising, though may contain the business's logo.
- C. The following criteria apply to Directional Signs:

District	Design Limitations for Directional Signs		
	Max. Size	Max. Height	Max. Number
TA	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
R-1			
R-2			
R-3			
R-4			
C-1	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
C-2	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
C-3	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
MU-CC	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
I-1	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
I-2	6 sq. ft. of area each	3 feet above grade	One (1) per street entrance
PUD	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district

(Ordinance No. 1358, 8-5-2019)

6. ***Project Directory Signs (Ordinance No. 1145, 5-17-2011)***

In order to maintain the flow of traffic on arterial and collector roads and to promote vehicular safety, emphasis is made to limit the number of ingress and egress points off of such roads. Project directory signs are intended to direct attention to planned multi-tenant developments which are not easily accessible off of such roads and where on-premise signage for that development (or any tenants within the development) would not otherwise be visible by the motorists traveling on nearby arterial or collector roads at the closest point of access. Provisions are provided to allow project directory signs which identify the name of the particular development and/or the names of their tenants. Such signs would be supplemental to signage otherwise provided for such developments.

Directional signs may be erected under the following conditions:

- A. Access to the development is restricted. Full ingress and egress to the development off an arterial or collector road is limited by access constraints or non-existent.
- B. Such signs may be placed on or off-premises. All such signs shall be constructed and located, however, so as to be visible by the motorist traveling on the arterial or collector road which intersects with the local road providing access to the development.
- C. Setbacks for all Project Directory Signs shall be twenty (20) feet along a street designated as an arterial or collector and ten (10) feet along any street designated as a local, minor or private street.
- D. A maximum of two project directory signs per development shall be allowed. No two signs shall be allowed closer than five-hundred (500) feet to each other on the same side of the street, measured along the edge of the street.
- E. No such sign shall be allowed further than one-thousand (1,000) feet from any entity advertising on the sign using the closest straight line measurement.
- F. The minimum distance between a sign location and any residential zoning district shall be 50 feet.
- G. The sign may contain the name of the development, names of tenants within the development, directional arrows and distance information. If off-premises, sign shall identify multiple businesses or industries.
- H. The size of each sign shall be a function of the number of tenants within the development. Each eight (8) square feet per principal use within the development, whichever is greater, with a maximum area of eighty (80) square feet.
- I. All such signs shall be a ground-mounted, monument-style sign.
- J. Such signs shall be subject to the design standards of the PUD or Gateway Corridor Overlay District, if within such district.

District	Design Limitations for Project Directory Signs		
	Max. Size	Max. Height	Max. Number
TA			
R-1			
R-2			
R-3			
R-4			
C-1	80 square feet	10 feet	One (1) per main entrance but not more than two (2)
C-2	80 square feet	10 feet	One (1) per main entrance but not more than two (2)
C-3	80 square feet	10 feet	One (1) per main entrance but not more than two (2);
MU-CC	80 square feet	10 feet	One (1) per main entrance but not more than two (2);
I-1			
I-2			
PUD	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district	The maximum allowed within the underlying zoning district

7. Roof Signs

Roof signs shall be permitted only in the Mixed Use – City Centre District provided:

- A. Signs shall be allowed on multi-story buildings only.
- B. A maximum of one (1) roof sign shall be allowed per lot.
- C. Signs shall be a maximum of 11 feet in height above the highest point of the roofline.
- D. Sign allowance shall be calculated at 2.5 square feet per lineal foot of building frontage to a maximum of 600 sq. ft.
- E. The use of electronic message boards shall be prohibited. Sign animation shall be limited to the slow and gradual dimming or fading of individual lights. Flashing signs will be prohibited.
- F. Where a wall sign is present on the building or structure façade, a roof sign shall be prohibited; where a roof sign is present on the building or structure façade, a wall sign shall be prohibited. This does not apply to wall signs of multi-tenant bays, or to roof signs advertising an entire development or district, rather than a specific use/occupant in the building on which the sign is placed. A maximum of two roof signs advertising the same development/district shall be permitted.

8. Blade Signs

Blade signs shall be permitted only in the Mixed Use – City Centre District provided:

- A. Signs will only be allowed for the following uses: event center, meeting hall, or publicly owned and operated facility.
- B. Signs shall be allowed on multi-story buildings only with frontage of at least 20 ft.
- C. Signs shall conform to the vertical clearance requirements of this section of the Zoning Ordinance.
- D. Animation of the message is prohibited.
- E. Signs shall have two identical faces.
- F. Only two Blade Signs shall be permitted per building.
- G. Sign allowance cannot exceed 60 square feet.

9. Marquee Signs

Marquee signs shall be permitted only in the Mixed-Use City Centre District provided:

- A. Signs will only be allowed the following uses: event center, meeting hall, or publicly owned and operated facility.
- B. Signs shall conform to the vertical clearance requirements of this section of the Zoning Ordinance.
- C. A maximum of one (1) marquee sign shall be allowed per building and may only be placed on the primary face of the building.
- D. Sign allowance shall be limited to no more than ten percent (10%) of the area of the façade to which the marquee is attached.
- E. No portion of a marquee sign shall extend vertically above the eave line.
- F. Marquee signs with non-electronic change panels are prohibited.

710. Other Permitted Signs

Canopy

Identification

Projecting

Real Estate

Nameplate

Temporary (see Section 7.03.02)

Window

Subdivision (Ordinance No. 873, 10-15-02)

Construction (Ordinance No. 873, 10-15-02)

Signs shall be permitted in the various districts at the listed square footage and heights according to the following schedule:

<u>Zoning District</u>	<u>TA</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>MU-CC</u>	<u>I-1</u>	<u>I-2</u>
<u>Sign Type Identification</u>											
<u>Real Estate</u>											
Max. Size (Square Ft.)	2 ¹										
Max. Height (Ft.)	NA										
Number Allowed per building	1	1	1	1	1	1	1	1	1	1	1
<u>Subdivision</u>											
Max. Size (Square Ft.)	32	32	32	32	32	32	32	32	32	32	32
Max. Lot Coverage (Sq. Ft.)	2,500 ⁴										
Max. Height (Ft.)	10	10	10	10	10	10	10	15	10	10	10
Number Allowed per lot	2 ⁵										
<u>Construction</u>											
Max. Size (Square Ft.)	32	32	32	32	32	32	32	32	32	32	32
Max. Height (Ft.)	8	8	8	8	8	8	8	8	8	8	8
Number Allowed per lot	4 ⁶										
<u>Canopy</u>											
Max. Size	25% ²	N	N	N	N	25% ²					
Max. Height (Ft.)	NA	N	N	N	N	NA	NA	NA	NA	NA	NA
Number Allowed per building	1	N	N	N	N	1	1	1	1	1	1
<u>Window</u>											
Max. Size	25% ³	N	N	N	N	25% ³					
Max. Height (Ft.)	NA	N	N	N	N	NA	NA	NA	NA	NA	NA
Number Allowed per building/ storefront	2	N	N	N	N	2	2	2	2	2	2
<u>Projecting</u>											
Max. Size (Square Ft.)	N	N	N	N	12	12	12	12	12	N	N
Max. Height (Ft.)	NA										
Number Allowed per tenant building	1	1	1	1	1	1	1	1	1	1	1
<u>Nameplate</u>											
Max. Size (Square Ft.)	2	2	2	2	2	N	N	N	N	N	N
Max. Height (Ft.)	NA	NA	NA	NA	NA	N	N	N	N	N	N
Number Allowed per building	1	1	1	1	1						

N: not permitted

NA: Not Applicable

(Ordinance No. 873, 10-15-02) (Ordinance No. 897, 2-04-03) (Ordinance No. 951, 3-15-05)

1: Maximum letter height is equal to 12 inches

2: percentage of total Canopy area

3: percentage of total window area

4: When constructed as a landscaping element on an outlot or plat lot

5: Per Entrance

6: Maximum number equal to four (4) when every sign equals the maximum size, no maximum number when using six (6) square foot signs

7: On corner lots or lots one (1) acre or greater, otherwise one (1) per lot **(Ordinance No. 897, 2-04-03)**

Note: All signs shall have a Vertical Clearance of nine (9) feet above any public sidewalk, private drive, or parking.

All signs shall have a Vertical Clearance of twelve (12) feet above any Public Street.

811. Sign type, District Permitted

A. Signs shall be permitted in the various districts according to the following schedule:

<u>Zoning District</u>	<u>TA</u>	<u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>C-1</u>	<u>C-2</u>	<u>C-3</u>	<u>MU-CC</u>	<u>I-1</u>	<u>I-2</u>
<u>Sign Type</u>											
Building Marker	P	P	P	P	P	P	P	P	P	P	P
Identification	P	P	P	P	P	P	P	P	P	P	P
Temporary	P	P	P	P	P	P	P	P	P	P	P
Construction	P	P	P	P	P	P	P	P	P	P	P
Real Estate	P	P	P	P	P	P	P	P	P	P	P
Incidental	P	P	P	P	P	P	P	P	P	P	P
Subdivision	P	P	P	P	P	P	P	P	P	P	P
Wall	P	N	N	N	N	P	P	P	P	P	P
Canopy	P	N	N	N	N	P	P	P	P	P	P
Window	P	P	P	P	P	P	P	P	P	P	P
Projecting	P	N	N	N	N	P	P	P	P	P	P
Name Plate	P	P	P	P	P	P	P	P	P	P	P
Monument	P	P	P	P	P	P	P	P	P	P	P
Billboard	N	N	N	N	N	N	N	N	N	N	N
Pole	N	N	N	N	N	N	N	N	N	N	N
Roof	N	N	N	N	N	N	N	N	P	N	N
Blade	N	N	N	N	N	N	N	N	P	N	N
Marquee	N	N	N	N	N	N	N	N	P	N	N

P: permitted N: not permitted C: Conditional Use

(Ordinance No. 873, 10-15-02)

129. Special Signage Conditions

The following special conditions apply to stand-alone ATM's, Coffee Kiosks and other Kiosks.

A. Stand-alone ATM's may have the following:

- One (1) wall sign on each exterior wall provided each wall sign does not exceed ten (10) percent of the applicable exterior wall and the total shall not exceed forty (40) square feet in size.
- Where a canopy is integrated into the ATM, a canopy sign may be placed on each face of the ATM, provided the overall height of the canopy and sign do not exceed twenty-four (24) inches. In addition, the overall size of all canopy signs shall not exceed forty (40) square feet.
- Directional signage shall be contained on the ATM, painted within a drive lane or in any curbing defining a drive lane.
- All signs are subject to the required permitting process of this Ordinance.
- Said signage may be incorporated with lighting plan and backlit in order to provide for greater security on the premises.

B. Coffee Kiosks and other Kiosks may have the following:

- One (1) wall sign on each exterior wall not used for drive-up service, provided each wall sign does not exceed ten (10) percent of the applicable exterior wall and the total shall not exceed forty (40) square feet in size.
- Where a canopy is integrated into the Coffee Kiosks / Kiosks, a canopy sign may be placed on each face of the Coffee Kiosks / Kiosks, provided the overall height of the canopy and sign do not exceed twenty-four (24) inches. In addition, the overall size of all canopy signs shall not exceed forty (40) square feet.
- Directional signage shall be contained on the Coffee Kiosks / Kiosks, painted within a drive lane or in any curbing defining a drive lane
- Window signs limited to menu boards and daily specials shall not require a sign permit.

- All signs are subject to the required permitting process of this Ordinance, unless otherwise noted.

7.01.06 Permits Required

1. If a sign requiring a permit under the provision of the ordinance is to be placed, constructed, erected, or modified on a zone lot, the owner of the lot shall secure a sign permit prior to the construction, placement, erection, or modification of such a sign in accordance with the requirements of Section 7.04.01.
2. Furthermore, the property owner shall maintain in force, at all times, a sign permit for such sign in accordance with Section 7.04.09.
3. No signs shall be erected in the public right-of-way except in accordance with Section 7.03.01.
4. No sign permit of any kind shall be issued for an existing or proposed sign unless such sign is consistent with the requirements of this ordinance (including those protecting existing signs) in every respect and with the Signage Plan in effect for the property.

7.01.07 Design, Construction, Maintenance

All signs shall be designed, constructed and maintained in accordance with the following standards:

1. All signs shall comply with applicable provisions of the Uniform Building Code and the National Electrical Code.
2. Except for flags, temporary signs, and window signs conforming in all respects with the requirements of this ordinance, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame or structure.
3. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes and in conformance with this code, at all times.

Section 7.02 Signage Plans

7.02.01 General Provisions

1. No permit shall be issued for an individual sign requiring a permit unless and until an Individual Signage Plan or Master Signage Plan for the zoned lot on which the sign will be erected has been submitted to the City and approved by the Planning Department as conforming with this section.
2. All signage plans and permits shall include the following minimum information:
 - A. Color scheme;
 - B. Lettering or graphic style;
 - C. Lighting;
 - D. Location of each sign on the buildings;
 - E. Material;
 - F. Sign proportions; and
 - G. Any other criteria required by the appropriate signage plan.

7.02.02 Master Signage Plan.

For any zoned lot on which the owner proposes to erect more than three (3) signs requiring a permit, the owner shall submit to the Planning Department a Master Signage Plan containing the following:

1. An accurate plot plan of the zone lot, at such a scale as the Planning Department may require;
2. Location of buildings, parking lots, driveways, and landscaped areas on such zone lot;
3. Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs allowed on the zone lot(s) included in the plan under this ordinance and
4. An accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not, except that incidental signs need not be shown.

7.02.03 Showing Window Signs on Master Signage Plan.

1. A Master Signage Plan including window signs may simply indicate the areas of the windows to be covered by window signs and the general type of the window (e.g., paper affixed to window,

painted, etched on glass, or some other material hung inside window) and need not specify the exact dimension or nature of every window sign.

7.02.04 Limit Number of Free-Standing Signs Under Master Signage Plan.

1. The Master Signage Plan, for all zone lots with multiple uses or multiple users, shall limit the number of freestanding signs to a total of one (1) for each street on which the zone lots shall provide for shared or common usage of such signs.

7.02.05 Amendment.

1. A Master Signage Plan may be amended by filing a new Master Signage Plan that conforms to all requirements of the ordinance then in effect.

7.02.06 Existing Signs Not Conforming to Master Signage Plan.

1. If any new or amended Master Signage Plan is filed for a property on which existing signs are located, it shall include a schedule for bringing into conformance, within two (2) years, all signs not conforming to the proposed amended plan or to the requirements of this ordinance in effect on the date of submission.

7.02.07 Binding Effect.

1. After approval of a Master Signage Plan, no sign shall be erected, placed, painted, or maintained, except in conformance with such plan, and such plan may be enforced in the same way as any provision of this ordinance. In case of any conflict between the provisions of such a plan and any other provision of this ordinance, the ordinance shall control.

Section 7.03 Other Signage Provisions

7.03.01 Signs in the Public Right-of-Way

No signs shall be allowed in the public right-of-way, except for the following:

1. **Permanent Signs.** Permanent signs, including:
 - A. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, advertise community events, and direct or regulate pedestrian or vehicular traffic;
 - B. Bus stop signs erected by a transit company
 - C. Informational signs of a public utility regarding its poles, lines, pipes, or facilities; and
 - D. Awning, projecting, and suspended signs projecting over a public right-of-way in conformity with the conditions of Section 1.16.

7.03.02 Temporary Signs

A permit for temporary signs shall be issued only in accordance to the Master Fee Schedule and for signs meeting the following criteria:

1. *Construction and real estate signs are exempt from a temporary sign permit provided they meet the requirements set forth hereafter and in Section 7.01.05(5) of this Ordinance.*
2. Such signs shall not be in place for more than fourteen (14) consecutive days, *except that Real Estate signs may be in place until the property sale is finalized and construction signs may be in place until that construction phase is completed;*
3. No more than four (4) temporary permits shall be issued to an individual use in a calendar year;
4. *Construction Signs shall be located on the property being constructed. Advertisement on business trailers or vehicles are exempt from a temporary sign permit and size restriction, except that such trailers or vehicles must be removed when construction by that company on said property is completed.*
5. Any violation of this Section may void any future requested permits; and
6. No temporary sign shall be of such size, message, or character so to harm the public, health, safety or general welfare. *Temporary signs shall not exceed thirty-two (32) square feet.*

(Ordinance No. 874, 10-15-02) (Ordinance No. 898, 2-04-03)

7.03.03 **Emergency Signs (Permitted)**

1. Emergency warning signs erected by a governmental agency, public utility company, or a contractor doing authorized or permitted work within the public right-of-way.

7.03.04 **Other Signs Forfeited**

1. Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to confiscation. In addition, to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

7.03.05 **Signs Exempt from Regulation Under this Ordinance**

The following signs shall be exempt from regulation under this ordinance:

Any public notice or warning required by a valid and applicable federal, state, or local law, regulation or ordinance;

Any religious symbol;

Any sign identifying a public facility or public / civic event, including signs for public school facilities;

Any sign inside a building, not attached to a window or door, that is not legible from a distance of more than three feet beyond the lot line of the zone lot or parcel on which such sign is located

Holiday lights and decorations with no commercial message;

Traffic control signs on private property, such as Stop, Yield, and similar signs, the face of which meets the Manual on Uniform Traffic Control Devices standards and which contain no commercial message of any sort; and

A political sign exhibited in conjunction with the election of political candidates. Such signs may not exceed thirty-two (32) square feet in any zone. Only four (4) political signs shall be allowed per zone lot at any one time. All such political signs shall be removed no later than (10) days after the election.
(Ordinances No. 1184, 9-18-12)

7.03.06 **Signs Prohibited Under These Regulations**

All signs not expressly permitted in these regulations or exempt from regulation hereunder in accordance with the previous section are prohibited in the city. Such signs include, but are not limited to:

1. Beacons and flashing signs;
2. Video signs;

3. Marquee signs;

4.3. Portable signs, except as allowed by a Temporary Sign Permit;

5. Roof signs;

6.4. Pole signs;

7.5. Suspended signs;

8.6. Strings of lights not permanently mounted to a rigid background, except those exempt under the previous section;

9.7. Off-premises signs, except for signs located on outdoor public or quasi-public recreational areas/facilities, provided such signs are located in a manner approved by the City (such as not facing adjacent street right-of-way or residential zoning districts) and are no larger than 32 square feet.”
(Ordinance No. 951, 3-15-05)

10.8. Animated signs, except for roof signs and electronic message boards, as permitted by this Ordinance; and

11.9. Audible Signs.