

ORDINANCE RECORD

No. 728-REFIELD & COMPANY INC., OMAHA

ORDINANCE NO. 1416

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

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

Section 1. The Planned Unit Development plan for Lots 2 and 3 Gary and Debbie Pink No. 3 (the "Lots 2 and 3 Gary and Debbie Pink No. 3 PUD") is hereby adopted for the following described real estate, to wit:

LEGAL DESCRIPTION

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

Section 2. The Lots 2 and 3 Gary and Debbie Pink No. 3 PUD is hereby adopted to provide for the development of a planned professional or medical office buildings. The regulations contained in this Ordinance will facilitate development in a planned, orderly fashion so as to protect the public health, safety, and general welfare. All grading, installation of infrastructure, development and build out shall be in strict accordance with the provisions of this Ordinance, except as shall be amended by the City Council in the required manner. The underlying commercial zoning district regulations shall continue to be applicable, except as provided for in this Ordinance and the attached exhibits.

Section 3. Definitions

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

- A. "Developer" shall mean TNT Holdings and VNT LLC, their successors and assigns.
- B. "Open Space" shall mean anything on the site except buildings, parking lot and vehicular circulation, generally pervious, but may include well landscaped pedestrian places, pools, pool decks and roof gardens.
- C. "Lots 2 and 3 Gary and Debbie Pink No. 3 PUD" shall mean the planned unit development that is subject to this Ordinance, as developed and approved, that outlines certain provisions for the development of the Subdivision and its uses. Such plan shall consist of the final plat, design guidelines, landscaping, etc.
- D. "Plat" or "the Plat," shall mean the final plat of the Subdivision approved by the City Council or an administrative plat approved by staff.

Section 4. Parcel Identification Map

Attached hereto and made a part of the Lots 2 and 3 Gary and Debbie Pink No. 3 PUD for parcel delineation is the Parcel Identification Map for the Lots 2 and 3 Gary and Debbie Pink No. 3 PUD marked as Exhibit "B".

Section 5. Conceptual Site Plan

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

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Section 6. Building Design Guidelines and Criteria

All applications shall adhere to requirements of the approved PUD Plan and Gateway Corridor District (Overlay District) Design Guidelines. Prior to issuance of a building permit, the City, Developer and the applicant shall have mutually agreed upon a specific design plan that complies with such criteria.

Section 7. Conditions

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

A. General Conditions

In addition, the following general site plan criteria shall be integrated into and made part of the Lots 2 and 3 Gary and Debbie Pink No. 3 PUD.

- i. All subdivisions, public streets, public street rights-of-way and general development shall adhere to the standards and design criteria set forth in the La Vista Subdivision Regulations and the most current design standards adopted by the City of La Vista pertaining thereto unless otherwise stated within this Lots 2 and 3 Gary and Debbie Pink No. 3 PUD.
- ii. Unless otherwise specified herein, the development of the Lots 2 and 3 Gary and Debbie Pink No. 3 PUD shall comply with the applicable La Vista Zoning District Regulations or any other applicable City Codes.

B. Land Use Design Criteria

Unless provided otherwise in this Lots 2 and 3 Gary and Debbie Pink No. 3 PUD, all general use regulations, performance standards and provisions set forth in the La Vista Zoning Ordinance for the appropriate commercial zoning district shall apply to any development, additions, or redevelopment within the PUD overlay district.

- i. The intent of the design and layout of the Lots 2 and 3 Gary and Debbie Pink No. 3 PUD Plan is to develop the site for professional and medical offices.
 - a. Building Setback. Building setbacks shall be the same as those listed in the C-2 General Commercial District regulations unless otherwise approved by the City Council as part of the PUD Plan marked as Exhibit "B".

D. Access, Sidewalks, and Off-Street Parking

- i. Access. Driveways shall be located so that no undue interference with the free movement of road traffic will result, to provide the required sight distance, and to provide the most-favorable driveway grade. Access points within the development shall be limited to what is shown on the final plat and subdivision agreement. Any deviation from this shall require the approval of the City.
- ii. Sidewalks. Due to issues with topography, utilities, and the narrowness of the lots the sidewalks within the development will be allowed to be constructed at the back of curb of the access road traversing the properties.
- ii. Off-Street Parking. Parking on lots within the PUD overlay should be provided based on the aggregate ratio of one (1) off-street parking spaces per two-hundred fifty (250) square feet of gross floor area of improvements constructed on each lot, unless off-site/public parking is utilized with approval of the city.

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Section 8. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, sentence clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

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

PASSED AND APPROVED THIS 16TH DAY OF MARCH 2021.

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe

Pamela A. Buethe, CMC
City Clerk

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EXHIBIT A

Lots 2 and 3 Gary and Debbie Pink No. 3 - Lot 2 and 3 Gary and Debbie Pink No. 3,
Northeast $\frac{1}{4}$ of Section 19, Township 14 North, Range 12 East of the 6th P.M. Sarpy
County, Nebraska.



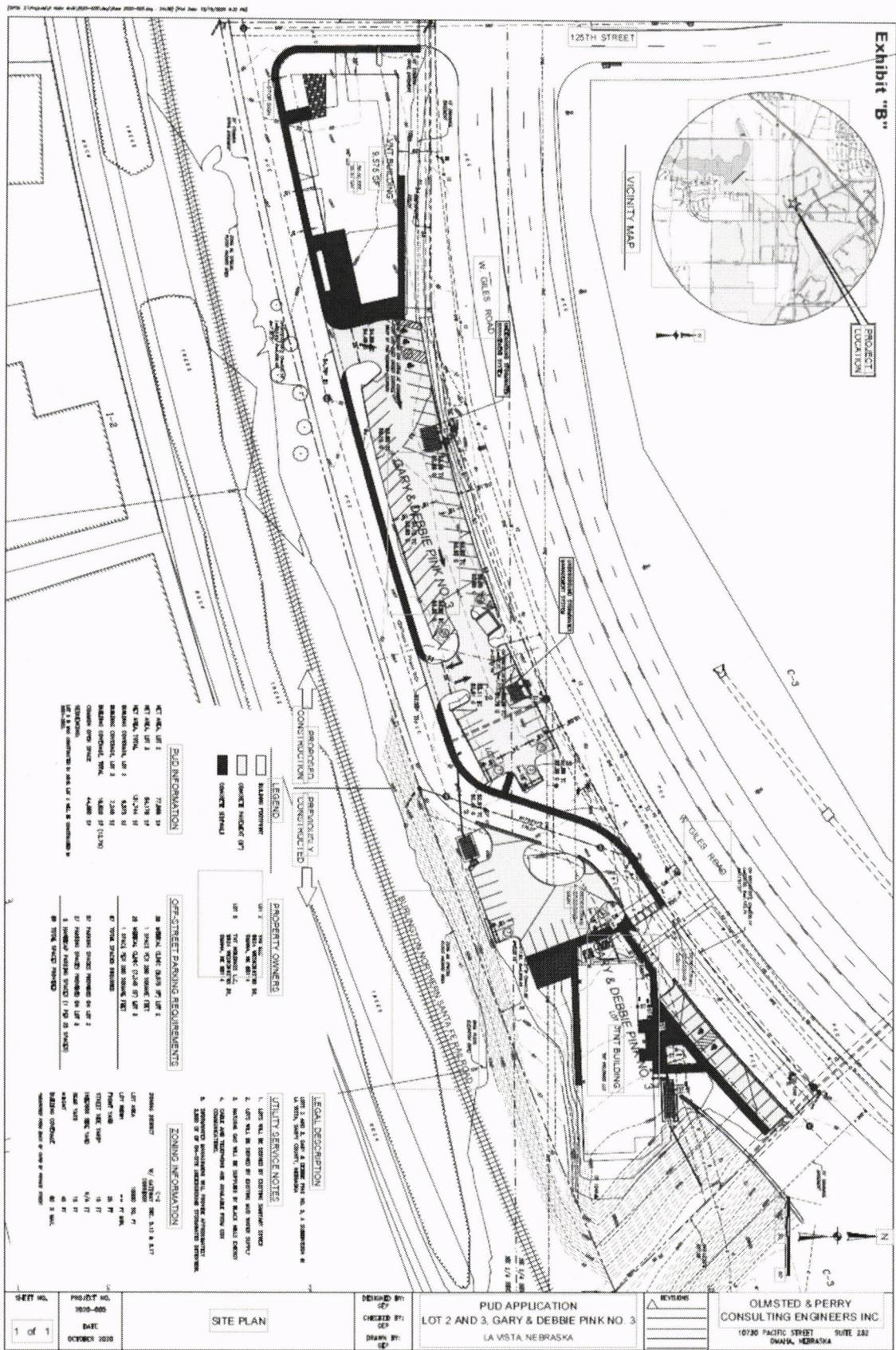
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EXHIBIT B

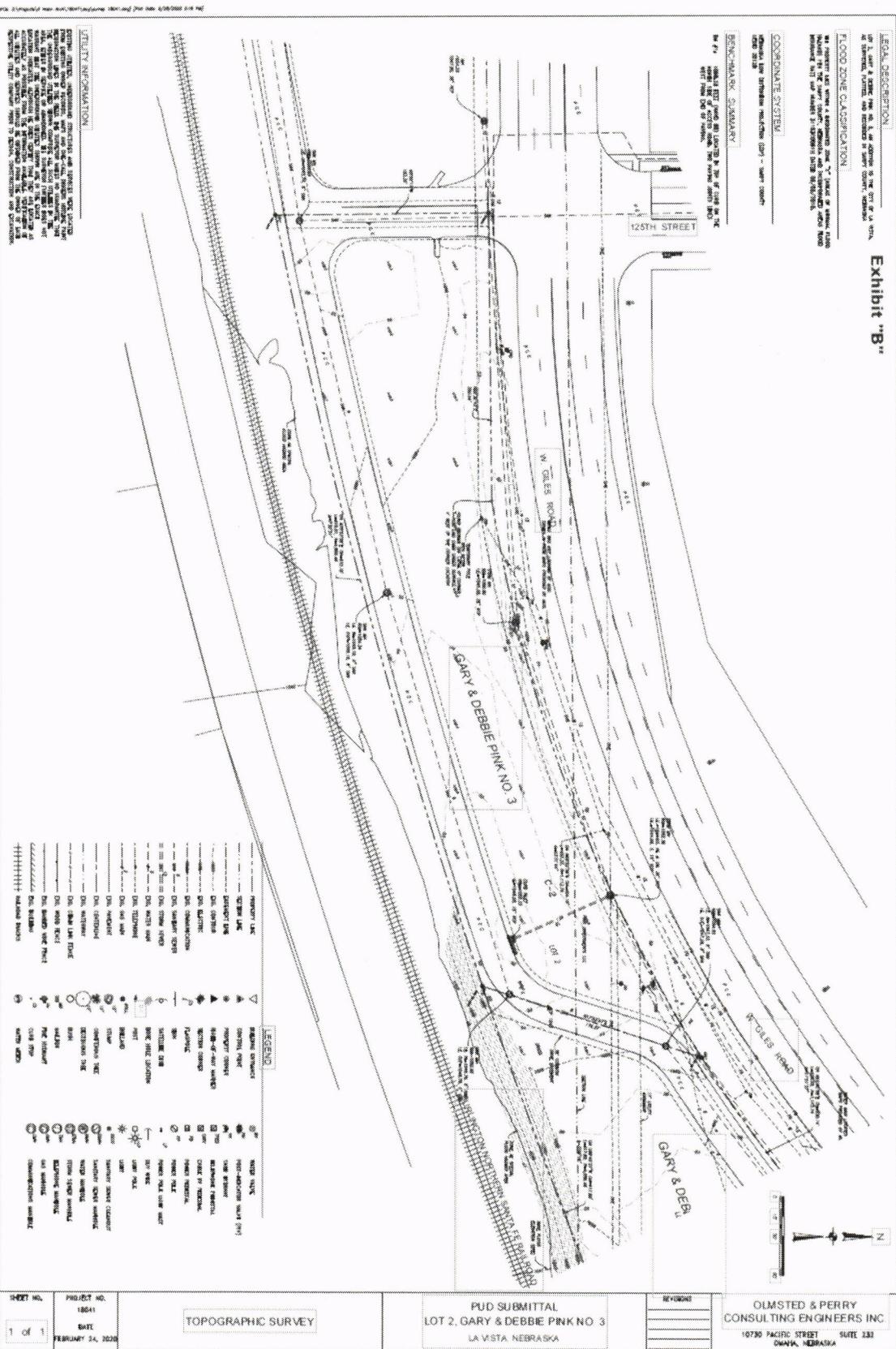
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Exhibit "B"

