

ORDINANCE RECORD

No. 728-REDFIELD & COMPANY INC., OMAHA

ORDINANCE NO. 1309

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

Section 3. Definitions

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

- A. "Developer" shall mean JRD Real Estate VI, LLC, their successors and assigns.
- B. "Gateway Corridor District" or "La Vista Gateway Corridor District" shall mean the City's overlay zoning district establishing basic site and building development criteria to be implemented within the boundaries of the overlay district.
- C. "Limited Membership Wholesale Store" shall mean a use primarily engaged in selling merchandise to commercial retailers through limited memberships. Merchandise may not be displayed or stored outside.
- D. "Restaurant Depot 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 lot and its uses. Such plan shall consist of the site plan, landscaping, preliminary building elevations, etc. (see Exhibit "B")

Section 4. Conceptual Site Plan

A PUD site plan is attached within as Exhibit "B".

Section 5. Allowed Uses

Unless otherwise provided in this Ordinance, in addition to all Permitted Uses allowed within the C-3 Highway Commercial/Office Park District, a Limited Membership Wholesale Store shall be allowed as a Permitted Use on Lot 2 Harrison Hills.

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Section 6. Building Design Guidelines and Criteria

All applications shall adhere to requirements of the approved Restaurant Depot PUD and Gateway Corridor Design Guidelines.

Section 7. Conditions

All uses within the lot 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 Restaurant Depot PUD.

- i. Gateway Corridor Design Guidelines.
- ii. Unless otherwise specified herein, the development of the Restaurant Depot 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 Restaurant Depot PUD, all general use regulations, performance standards and provisions set forth in the La Vista Zoning Ordinance for the appropriate commercial zoning district shall apply to any development within Lot 2 Harrison Hills. The negative elements of such uses as loading docks, heating, ventilation, or air conditioning (HVAC) units, or similar electrical or mechanical appurtenances shall be designed to be screened and buffered from view by the general public through the use of architectural features or earth berthing and landscaping.

- i. The intent of the design and layout of Harrison Hills Lot 2 is to develop the site for a Limited Membership Wholesale Store.
 - a. Building Height. Permitted building heights shall be the same as those listed in the C-3 Highway Commercial / Office Park District regulations unless otherwise approved by the City Council as part of a PUD Plan.
 - b. Building Setback. Building setbacks shall be the same as those listed in the C-3 Highway Commercial / Office Park District regulations unless otherwise approved by the City Council as part of a PUD Plan.
 - c. Landscaping. Landscaping shall be consistent with the PUD Site Plan map set, Exhibit "B." A complete and detailed landscape plan is required prior to building permit approval to assure compliance with the Restaurant Depot PUD and the approved Gateway Corridor Design Guidelines.
 - d. Signage. All signs identifying the project may be permitted with approval of a sign permit based upon the adopted sign regulations except as modified herein.

D. Access and Off-Street Parking

- i. Access. Driveways shall be located so that no undue interference with the free movement of road traffic will result, to provide the required sight distance, and to provide the most-favorable driveway grade. Access points within the development shall be limited to what is shown on the PUD site plan. Any deviation from this shall require the approval of the City.
- ii. Off-Street Parking. Parking on the lot should be provided based on the minimum aggregate ratio of one (1) off-street parking spaces per three hundred (350) square feet of gross floor area of constructed buildings,

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unless off-site/public parking is utilized with approval of the city. The parking stall counts approved through this PUD are specified as:

Parking Summary	
Stall Type	Stalls
Standard Stalls	171
Handicap Stalls	7
Total Stalls	178

E. Signage

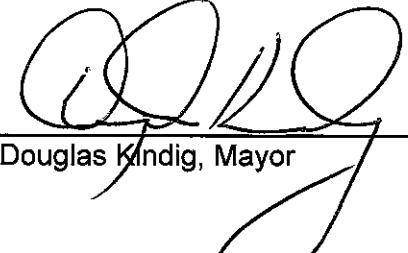
All signs may be permitted with approval of a sign permit based upon the adopted sign regulations

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.

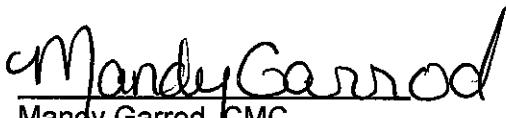
PASSED AND APPROVED THIS 16TH DAY OF MAY 2017.

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Mandy Garrod

Mandy Garrod, CMC
Deputy City Clerk

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EXHIBIT A

Lots 2, Harrison Hills located in the N ½, NW ¼, Section 17, Township 14 North, Range 12 East of the 6th P.M. Sarpy County, Nebraska.

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EXHIBIT B