

# ORDINANCE RECORD

No. 728-REFIELD & COMPANY INC., OMAHA

## ORDINANCE NO. 1492

AN ORDINANCE 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 the REV Development Group commercial development (the "REV Development 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 REV Development PUD is hereby adopted to provide for the development of a commercial hospitality, retail, and services development. Such commercial development will be characterized by two free-standing hotels and a strip commercial building, served by shared parking areas that provide sufficient parking for the mix of uses. 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 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 REV Development, LLC (d.b.a. REV Development Group), 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. Developments within this overlay zoning district shall be subject to the Commercial Building Design Guide and Criteria dated March 2, 2021.
- C. "Hotel" shall mean a building or portion thereof offering transient lodging accommodations on a daily rate to the general public and providing services associated with restaurants, meeting rooms, and recreational facilities.
- 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.
- E. "REV Development 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.
- F. "Southport East Design Guidelines" shall mean the specific guidelines establishing basic site and building development criteria to be implemented within the boundaries of the Southport East subdivision. Developments within this subdivision shall be subject to the Architectural and Site Design Guidelines for the Southport Development dated September 1, 2002.
- G. "Strip Commercial Building" shall mean a long usually one-story building or group of buildings housing several adjacent retail stores or service establishments with common parking.
- H. "Subdivision" shall mean the 7.12 acres of land described in Exhibit "A" hereto, to be known as "Lots 1-3 Southport East Replat Fifteen".

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## Section 4. Parcel Identification Map

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

## Section 5. Conceptual Site Plan

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

## Section 6. Building Design Guidelines and Criteria

All applications shall adhere to the requirements of the Architectural and Site Design Guidelines for the Southport Development dated September 1, 2002, unless expressly allowed otherwise through this PUD ordinance. Prior to the issuance of a building permit, the City, Developer and the applicant shall have mutually agreed upon a specific design plan that complies with such criteria. The Architectural and Site Design Guidelines for the Southport Development take the place of the Commercial Building Design Guide and Criteria of La Vista's Gateway Corridor District. The City Administrator shall determine which design criteria is applicable in the event of a conflict between the two documents referenced herein.

## 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 REV Development 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 REV Development PUD.
- ii. Unless otherwise specified herein, the development of the REV Development PUD shall comply with the applicable La Vista Zoning Ordinance or any other applicable City Codes.

### B. Land Use Design Criteria

Unless provided otherwise in this REV Development PUD, all general use regulations, performance standards and provisions set forth in the La Vista Zoning Ordinance for the appropriate underlying zoning district shall apply to any development within Lots 1-3 Southport East Replat Fifteen. The negative elements of such uses as dumpsters, 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 general intent of the design and layout of Lots 1-3, Southport East Replat Fifteen is to develop the site for stand-alone hospitality and a mix of commercial uses in a strip commercial building.
  - 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 Site Plan. Specific to the PUD Site Plan, building setbacks along Chandler Plaza will be 15-feet from the back-of-curb of the roadway.

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## EXHIBIT B

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## EXHIBIT A

Lots 1-3, Southport East Replat Fifteen, located in the E ½ , Section 18, Township 14 North, Range 12 East of the 6th P.M. Sarpy County, Nebraska.



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- c. Landscaping. Landscaping throughout the PUD shall be consistent with the PUD Site Plan map set, Exhibit "B" and Site Design Guidelines for the Southport Development. A complete and detailed landscape plan shall be reviewed as part of the City's Design Review Approval process prior to building permit approval.
- d. Signage. All signs identifying the project may be permitted with approval of a sign permit based upon the adopted sign regulations except as modified herein.

## C. Access and Off-Street Parking

- i. Access. Driveways shall be located so that no undue interference with the free movement of road traffic will result, to provide the required sight distance, and to provide the most-favorable driveway grade. Access points within the development shall be limited to what is shown on the final plat and subdivision agreement. Any deviation from this shall require the approval of the City.
- ii. Off-Street Parking. Parking on lots in Lots 1-3, Southport East Replat Fifteen should be provided based on the aggregate ratio of one (1) per rental unit for hotels and one space per 200 square feet of general retail uses. All other commercial uses within the commercial strip center shall be subject to the off-street parking requirements designated within the La Vista Zoning Ordinance.

## D. Signage

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

See the PUD Site Plan map set, Exhibit "B", for the proposed site signage approximate locations.

**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 1ST DAY OF AUGUST 2023.



ATTEST:

Pamela A. Buethe

Pamela A. Buethe, MMC  
City Clerk

CITY OF LA VISTA

Douglas Kindig, Mayor