

# ORDINANCE RECORD

No. 728-REFIELD & COMPANY INC., OMAHA

## ORDINANCE NO. 1486

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 Sagebrook mixed residential development (the "Sagebrook Mixed Residential 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 Sagebrook Mixed Residential PUD is hereby adopted to provide for the development of a multiple-family housing development that in addition to apartments, will deliver a variety of currently missing or lacking housing product types to the community. 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. "Apartments" shall mean a three-story, sixty-unit multi-family unit building type. The Apartments unit type shall utilize the detached enclosed garages provided within the development to achieve the enclosed garage parking requirement for multi-family developments.
- B. "Cobalt Townhome" shall mean a two-story townhome style unit type specific to this development that includes five units in a townhome-style structure with no enclosed parking spaces. The Cobalt Townhome unit type shall utilize the detached enclosed garages provided within the development to achieve the enclosed garage parking requirement for multi-family developments.
- C. "Della Townhome" shall mean a two-story townhome style unit type specific to this development that includes four units in a townhome-style structure with enclosed parking spaces on the ground floor of the building.
- D. "Developer" shall mean HRC Sagebrook Multifamily, LLC (d.b.a. Hubbell Development Services), their successors and assigns.
- E. "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.
- F. "Lazio Townhome" shall mean a single-story townhome-style unit type specific to this development that includes three units in a townhome style of structure with attached, enclosed parking spaces.
- G. "Mixed Residential" shall mean a development consisting of a mix of apartments, rowhouses, townhomes, and single-story homes. Typical building heights are 1-3 stories, with a walkable environment that provides connectivity to adjoining retail and services.

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- H. "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.
- I. "Plat" or "the Plat," shall mean the final plat of the Subdivision approved by the City Council or an administrative plat approved by staff.
- J. "Sagewood Mixed Residential 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 guideline allowances, landscaping, etc.
- K. "Subdivision" shall mean the 15.77 acres of land described in Exhibit "A" hereto, to be known as "Mayfair 2<sup>nd</sup> Addition Replat Eight".

## Section 4. Parcel Identification Map

Attached hereto and made a part of Sagewood Mixed Residential PUD for parcel delineation is the Parcel Identification Map for the Sagewood Mixed Residential 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 Commercial Building Design Guide and Criteria dated March 2, 2021, 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.

Allowances specific to this development provide for variation from the Commercial Building Design Guide and Criteria in relation to each specific building type:

- A. Lazio Townhome – The primary building material for the front elevation of the building shall be brick (clay or stone) with its color selected for harmony of the building with adjoining buildings within its subdivision. A three-foot base course of brick (clay or stone) shall be required along the side elevations. Other secondary building materials shall have good architectural character and shall be selected for harmony of the building with adjoining buildings.

Architectural features such as decorative moldings, windows, shutters, dormers, chimneys, balconies and railings, and landscaped elements such as lattices are strongly encouraged to provide additional detail to a façade. However, these elements shall have good proportions and relationships to one another.

Monotony of design shall be avoided. Variations of detail, form, and siting shall be used to provide visual interest.

- B. Cobalt Townhome – The primary building material for the front elevation of the building shall be brick (clay or stone) with its color selected for harmony of the building with adjoining buildings within its subdivision. A three-foot base course of brick (clay or stone) shall be required along the side elevations. Other secondary building materials shall have good architectural character and shall be selected for harmony of the building with adjoining buildings.

Architectural features such as decorative moldings, windows, shutters, dormers, chimneys, balconies and railings, and landscaped elements such as lattices are strongly encouraged to provide additional detail to a façade. However, these elements shall have good proportions and relationships to one another.

Monotony of design shall be avoided. Variations of detail, form, and siting shall be used to provide visual interest.

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C. Della Townhome – The primary building material for the front elevation of the building shall be brick (clay or stone) with its color selected for harmony of the building with adjoining buildings within its subdivision. A three-foot base course of brick (clay or stone) shall be required along the side elevations. Other secondary building materials shall have good architectural character and shall be selected for harmony of the building with adjoining buildings.

Architectural features such as decorative moldings, windows, shutters, dormers, chimneys, balconies and railings, and landscaped elements such as lattices are strongly encouraged to provide additional detail to a façade. However, these elements shall have good proportions and relationships to one another.

Monotony of design shall be avoided. Variations of detail, form, and siting shall be used to provide visual interest.

D. Apartments – The design of the apartment buildings within the PUD area shall meet La Vista's Commercial Building Design Guide and Criteria and the Zoning Ordinance.

E. Clubhouse – The design of the complex clubhouse within the PUD area shall meet La Vista's Commercial Building Design Guide and Criteria and the Zoning Ordinance.

F. Garages – A three-foot base course of brick (clay or stone) shall be required along the front (where not impeded by garage doors), back and side elevations. Garages shall also utilize planar differentiation to break up the long façade of the back elevation.

## General Additional Design Guidelines:

A. Exterior building-mounted lighting shall limit impact upon adjoining properties as depicted within the PUD Photometric Plan included within Exhibit "B". Exposed bulbs shall not be visible from adjoining residential areas.

Pedestrian-scale lighting should be incorporated in outdoor areas such as pedestrian walkways, plazas, play lots and parking areas.

B. Pedestrian, bicycle and vehicle linkages should be provided to adjacent developments and uses.

C. Buildings should be placed to create a street presence and enhance neighborhood character.

a. When adjacent to single-family residences, side and rear setbacks shall allow for a sufficient planter area to buffer impacts and screen undesirable views.

D. Garage doors throughout the development shall be enhanced through the use of raised panels, windows, and/or decorative hardware.

Unless specifically addressed above, the design criteria of the development must adhere to the guidelines set forth within La Vista's Commercial Building Design Guide and Criteria and the Zoning Ordinance.

## 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 Sagewood Mixed Residential PUD.

i. All subdivisions, public streets, public street rights-of-way and general development shall adhere to the standards and design criteria set forth

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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 Sagewood Mixed Residential PUD.

- ii. Unless otherwise specified herein, the development of the Sagewood Mixed Residential 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 Sagewood Mixed Residential 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 Lot 1 Mayfair 2<sup>nd</sup> Addition Replat 8. 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 Lot 1, Mayfair 2<sup>nd</sup> Addition Replat 8 is to develop the site for a mix of residential uses.
  - a. Building Height. Permitted building heights shall be the same as those listed in the R-3 High Density Residential 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 R-3 High Density Residential 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 Hillcrest Plaza and S 97<sup>th</sup> Plaza will be 15-feet from the back-of-curb of the roadway.
  - c. Landscape. Landscape screening along the north and west edges of the property needs to meet or exceed that of Exhibit "B" of the subdivision agreement for Mayfair 2<sup>nd</sup> Addition Replat Seven. Landscaping throughout the PUD shall be consistent with the PUD Site Plan map set, Exhibit "B" and La Vista's Commercial Building Design Guide and Criteria. 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 Lot 1 Mayfair 2<sup>nd</sup> Addition Replat 8 should be provided based on the aggregate ratio of one (1) per bedroom and 0.5 enclosed garages per unit. No parking related to the use will be allowed on South 99<sup>th</sup> Street, Hillcrest Plaza, S 97<sup>th</sup> Plaza, or any other off-site private parking area without specific approval.

## D. Signage

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

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

- i. Subdivision Sign. The development shall have one free-standing Subdivision Sign in the location depicted on the PUD Site Plan. However, the sign needs to adhere to the Sight Triangle requirements and other regulations for Subdivision Signs as set forth within the Zoning Ordinance.
- ii. Incidental On-Site Directional Signs. Incidental On-Site Directional Signs, such as signs indicating exits or the clubhouse and the pool, shall be consistent in design and color, or incorporate aesthetic features compatible with the architecture of the building, and shall not exceed six (6) square feet of sign area per sign.

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

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

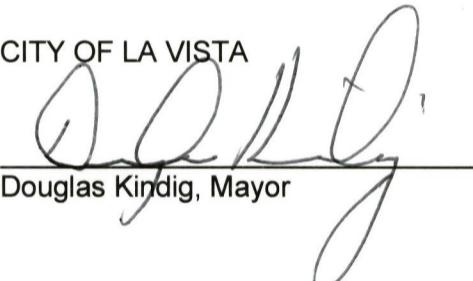
PASSED AND APPROVED THIS 5TH DAY OF JULY 2023.

ATTEST:



Pamela A. Buethe, MMC  
City Clerk

CITY OF LA VISTA



Douglas Kindig, Mayor

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## EXHIBIT A

Lot 1, Mayfair 2<sup>nd</sup> Addition Replat Eight, located in the SE  $\frac{1}{4}$ , Section 16, Township 14 North, Range 12 East of the 6th P.M. Sarpy County, Nebraska.



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## EXHIBIT B