

ORDINANCE RECORD

REDFIELD DIRECT E2401275KV

ORDINANCE NO. 1515

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 Fenton Construction, Inc. industrial development of AD Industrial Park (the "AD Industrial Park 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 AD Industrial Park PUD is hereby adopted to provide for the development of an industrial business park development. Such industrial development will be characterized by 4 industrial buildings within the PUD area constituting a total of 201,520 square feet of building footprint, served by parking areas that provide sufficient parking. 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 Fenton Construction, LLC, their successors and assigns.
- B. "Heavy Construction Contractors" shall mean contractors primarily engaged in heavy construction other than building, such as highways, streets, bridges, sewers, railroads, irrigation projects, flood control, and special trade contractors primarily engaged in activities of a type that are clearly specialized to such heavy construction and are not normally performed on buildings or building-related projects.
- C. "Outdoor Storage" shall mean the storage of any material for a period of greater than 72 hours not in an enclosed building, including items for sale, lease, processing, and repair (including motor vehicles). Licensed vehicles or trailers shall not be considered outdoor storage.
- 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. "AD Industrial Park 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. "Subdivision" shall mean the 57.8 acres of land described in Exhibit "A" hereto, to be known as "Lots 1-6 AD Industrial Park".

Section 4. Parcel Identification Map

Attached hereto and made a part of AD Industrial Park PUD for parcel delineation is the Preliminary Plat for the AD Industrial Park PUD marked as Exhibit "B".

Section 5. Conceptual Site Plan

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

B. Land Use Criteria

Unless provided otherwise in this AD Industrial Park 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 3-6 AD Industrial Park (the PUD area).

- i. Use Allowances.
 - a) Facilities for Heavy Construction Contractors shall be permitted outright on Lots 4-6 AD Industrial Park.
 - b) Outdoor storage shall be permitted outright on Lots 4-6 AD Industrial Park subject to the following requirements:
 - i. Such outdoor storage shall be placed on a hard surface paved with asphalt or concrete, or on a crushed rock surface.
 - ii. Screening shall be required through the combined use of fencing, landscaping, and/or other means as determined by the Community Development Director.
 - iii. Prior to commencement of the outdoor storage use on Lots 4-6 AD Industrial Park, a detailed site plan identifying the locations for the use of outdoor storage, the locations and types of screening present, and details regarding the type of parking surface shall be provided to the Community Development Director for review and approval. Any permits related to the screening will also need to be obtained and construction of the screening completed prior to the commencement of the use of outdoor storage on each lot.
 - iv. Outdoor storage shall not be permitted on Lot 3 AD Industrial Park.

C. Access

- i. Access points to and within the development shall be in accordance PUD Site Plan.
- ii. Public access and utility easements shall be recorded and maintained into perpetuity in accordance with the Final Plat and Subdivision Agreement to provide for proper ingress/egress for Lots 4-6 AD Industrial Park, which are located south of the BNSF Rail Road line.

Section 7. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such

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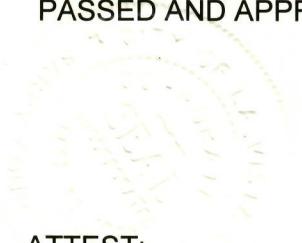
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unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, sentence 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 8. 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 7TH DAY OF MAY 2024.



ATTEST:

Pamela A. Buethe

Pamela A. Buethe, MMC
City Clerk

CITY OF LA VISTA


Douglas Kindig, Mayor

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EXHIBIT A

Lots 3-6 AD Industrial Park, located in the S ½ , Section 14, Township 14 North, Range 11 East of the 6th P.M. Sarpy County, Nebraska.



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EXHIBIT B

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