

ORDINANCE RECORD

REDFIELD DIRECT E2401275KV

ORDINANCE NO. 1518

AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, AMENDING ESTABLISHED 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 Bear Creek Apartments (the "Bear Creek 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 Bear Creek PUD is hereby adopted to provide for the development of a planned residential complex including two apartment buildings and two buildings containing detached garage stalls. 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 residential 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 Krishna, LLC and/or 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. "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, and pool decks.
- D. "Bear Creek 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.
- E. "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 Bear Creek PUD for parcel delineation is the Bear Creek PUD plan set 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 requirements of the City's Commercial Building Design Guide and Criteria as adopted within the La Vista Gateway Corridor District, subject to any additions, subtractions, or modifications from time to time, ("Commercial Building Design

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Guide and Criteria"). 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 Bear Creek 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 Bear Creek PUD.
- ii. Unless otherwise specified herein, the development of the Bear Creek 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 Bear Creek PUD, all general use regulations, performance standards and provisions set forth in the La Vista Zoning Ordinance for the appropriate 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 Bear Creek development is to develop the site to provide multi-family apartment units.
 - a. 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 the PUD Site Plan marked as Exhibit "B". Lot 1 Willow Creek Replat Four shall have a reduced front-yard building setback of 10 feet along the S. 144th Street property line for Multiple-Family Dwelling structures. Lot 2 Willow Creek Replat Four shall have a reduced front-yard building setback of 19.3 feet along the S. 144th Street property line for Multiple-Family Dwelling structures.
 - b. Landscaping. Landscaping throughout the Subdivision shall be consistent with the PUD Site Plan map set, Exhibit "B", and the City's Commercial Building Design Guide and Criteria. A complete and detailed landscaping plan is required prior to building permit approval to assure compliance with the vision of the Bear Creek PUD.

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 Planned Unit Development Site Plan. Any deviation from this shall require the approval of the City.
- ii. Off-Street Parking. Parking on Lots 1 and 2 Willow Creek Replat Four to be utilized for Multiple Family Dwellings shall be provided in accordance with Section 7.06 of the La Vista Zoning Ordinance on the aggregate ratio of one (1) off-street parking spaces per bedroom of multi-family apartments on-site.

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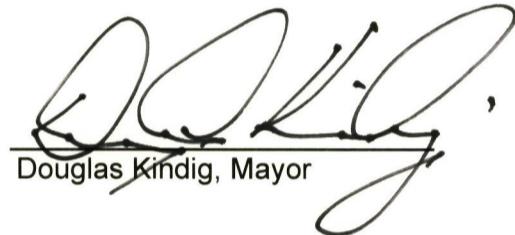
Lots 1 and 2 Willow Creek Replat Four shall be exempt from Section 7.05.10 of the La Vista Zoning Ordinance which requires a minimum of 0.5 enclosed garage stalls per dwelling unit for multi-family structures.

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.

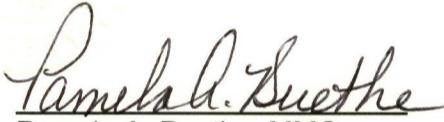
PASSED AND APPROVED THIS 20TH DAY OF AUGUST 2024.

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe

Pamela A. Buethe, MMC
City Clerk

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EXHIBIT A

Bear Creek Apartments Development – Lots 1-2 Willow Creek Replat Four - The Northeast 1/4, Section 14, Township 14 North, Range 11 East of the 6th P.M. Sarpy County, Nebraska.



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EXHIBIT B