

ORDINANCE RECORD

No. 728—REDFIELD & COMPANY INC., OMAHA

ORDINANCE NO. 1113

AN ORDINANCE TO AMEND SECTIONS 5.17.01, 5.17.03 AND 5.17.04 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.17.01, 5.17.03, AND 5.17.04 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. Amendment of Sections 5.17.01, 5.17.03 and 5.17.04. Section 5.17.01, 5.17.03 and 5.17.04 of Ordinance No. 848 is hereby amended to read as follows:

5.17 GATEWAY CORRIDOR DISTRICT (OVERLAY DISTRICT):

5.17.01 Intent:

The City of La Vista has established basic site and building development criteria to be implemented within the boundaries of this overlay district *for all multi-family, industrial, and commercial building projects*. The Gateway Corridor District has been established in order to implement the policies developed in the Future Land Use Plan portion of the Comprehensive Development Plan. These criteria include, but are not limited to the following: landscaping, building material selection, lighting, and interior street development. The purpose for regulating these issues is to provide for a cohesive and properly developed entrance into the City of La Vista from the Interstate corridor. Guiding development in this manner promotes the general health, safety and welfare of the residents within the zoning jurisdiction of the City, by providing quality design and construction which will also aid in the protection of past and future investment in the corridor.

Within the Gateway Corridor Overlay District there is a sub-area secondary overlay centered on the intersection of 96th and Giles Road (see Official Zoning map). The purpose of this secondary overlay evolves around a partnership between the City of La Vista and Metropolitan Community College which have made a significant investment in the community with the new La Vista Public Library / MCC Sarpy Center. The City's desire is that this district be the standard of quality for all *multi-family, industrial, and commercial building projects* within this *geographically defined area*. See Section 5.17.06 for special design criteria for this sub-area. (**Ordinance No. 1048, 10-2-07**)

5.17.03 Geographic Area:

The Gateway Corridor Overlay District extends generally *from 132nd Street to 108th Street and from Harrison Street to West Giles Road/Giles Road, roughly following close to West Giles Road, Giles Road, and Interstate 80, and along the 84th Street corridor from Harrison Street to Giles Road*. If a site is partially covered by said overlay district, then the entire portion of the site facing the Gateway Corridor is to be covered by these regulations. For a *geographically defined area*, see the Official Zoning Map. (**Ordinance No. 1048, 10-2-07**)

The sub-area secondary overlay -area occurs within all developments that front on the 96th Street and Giles Road corridors including:

- Giles Road Corridor – from 90th Street to 108th Street.
- 96th Street Corridor – from Harrison Street to Portal Road

If a site is partially covered by said sub-area secondary overlay district, then the entire portion of the site facing 96th and/or Giles Road is to be covered by these regulations. See Section 5.17.06 for special design criteria for this geographic area. *For a geographically defined area, see the Official Zoning Map.* (**Ordinance No. 1048, 10-2-07**)

5.17.04 Criteria for Application:

- 5.17.04.01 All developments consisting of more than one principal building, mixed-uses, multiple-pad development and/or similar shall be required to meet the zoning requirements for a Planned Unit Development (PUD). The PUD process and rezoning shall be in conjunction with Preliminary and Final Plat review and approval.
- 5.17.04.02 All developments consisting of one principal building with single or mixed uses shall comply with the design criteria of this section.
- 5.17.04.03 All substantial redevelopment of existing buildings shall comply with the design criteria of this section. Substantial redevelopment shall mean any reconstruction, rehabilitation, addition, or other improvement of a structure,

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the cost of which equals or exceeds 50 percent of the market value of the structure before the start of the redevelopment. Multi-family structures damaged by fire or other environmental event may be reconstructed without adherence to the Gateway Corridor Overlay District regulations, provided that reconstruction activities involve less than 50% of the complex's structures.

SECTION 2. Repeal of Sections 5.17.01, 5.17.03, and 5.17.04 of Ordinance No. 848 as previously enacted are hereby repealed.

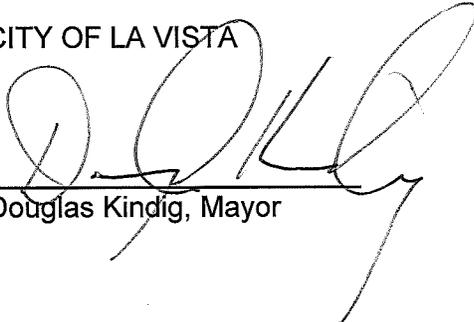
SECTION 3. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, 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 4. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

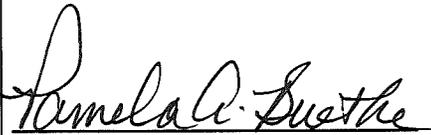
SECTION 5. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED THIS 16TH DAY OF MARCH 2010.

CITY OF LA VISTA


Douglas Kindig, Mayor

ATTEST:


Pamela A. Buethe, CMC
City Clerk