

# ORDINANCE RECORD

No. 728—REDFIELD & COMPANY INC., OMAHA

## ORDINANCE NO. 1111

AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, AMENDING THE ZONING DISTRICT MAP OF THE CITY OF LA VISTA, NEBRASKA; 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. In accordance with Section 5.15 of the La Vista Zoning Ordinance No. 848, the final PUD-1 (Planned Unit Development) plan for Harrison Heights is developed for the following described real estate, to wit:

### LEGAL DESCRIPTION

See exhibit "A" attached hereto and made a part hereof.

Section 2. This document provides for a PUD plan for development of a planned residential area for senior living that will service not only the city, but also the surrounding market area. In addition the PUD includes a small community commercial center. The residential area is characterized by senior apartments served by separate parking and garage facilities uniquely located on two tracts of land with a combined area of approximately 9.39 acres. The commercial center is characterized by multiple-tenant or free-standing retail, office and general services served by communal parking areas and uniquely located on three tracts of land with a combined area of approximately 2.66 acres. 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, construction of site improvements 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 and commercial 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 Empire Group L.L.C. its successors and assigns.
- B. "Free Standing Building" shall refer to any building or similar structure, each of which conducts a separate business or multi-family housing.
- C. "Multiple-attached Building" shall refer to any building or similar structure that houses more than a single tenant or owner, in which numerous, discrete business activities are conducted.
- D. "Open Space" shall mean anything on the site except buildings, parking lots or drives for vehicular circulation that is generally pervious, but may include well landscaped pedestrian places, pools, pool decks and roof gardens.
- E. "Planned Unit Development Plan" shall mean a plan developed and approved that outlines certain provisions for the property and its uses. Such plan shall consist of the final plat, design guidelines, landscaping, etc.
- F. "Plat" or "the Plat," shall mean the final plat approved by the City Council.
- G. "Subdivision" shall mean the 12.044 acres of land described in Exhibit "A" hereto, to be known as "Harrison Heights".

### Section 4. Parcel Identification Map

Attached hereto and made a part of this PUD plan for parcel delineation is the Parcel Identification Map for the Harrison Heights PUD (Planned Unit Development), marked Exhibit "B".

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## Section 5. Conceptual Site Plan

A conceptual site plan for each parcel is attached as Exhibit "C" entitled "Final Planned Unit Development" plan. All development on each parcel shall be in substantial conformance with this plan.

## Section 6. Allowed Uses

Unless otherwise provided in this Ordinance, Permitted and Permitted Conditional Uses allowed within the R-3 High Density Residential District shall be allowed on Lots 4 and 5, Harrison Heights except as modified below:

- A. The following uses shall be prohibited:
  - i. Non-age restricted apartments

Unless otherwise provided in this Ordinance, all Permitted and Permitted Conditional Uses allowed within the C-2 General Commercial District shall be allowed on Lots 1, 2 and 3, Harrison Heights except as modified below:

- B. The following uses shall be prohibited:
  - i. None

## Section 7. Building Design Guidelines and Criteria

Building design shall be performed in accordance with the City of La Vista's Commercial Building Design Guide and Criteria dated September 15, 1999. Buildings within this development will be compatible and coordinated in their architectural design and the exterior appearance shall be in substantial conformance with the Colored Elevation Renderings attached hereto as Exhibit "D". Materials shall be similar and coordinated so all buildings in the PUD appear cohesive in their design.

## Section 8. Conditions

Section 5.15 of the La Vista Zoning Ordinance No. 848 includes the Planned Unit Development Overlay District (PUD) and establishes certain regulations and guidelines pertaining to accompanying information required on a Plat, Site Plan and/or conditional use permits. All uses shall adhere to the underlying zoning district except as herein provided.

### A. General Conditions

Exhibit "B" and Exhibit "C" incorporate commercial uses as allowed by C-2 General Commercial Zoning on Lots 1, 2 and 3.

In addition, the following general site plan criteria shall be integrated into and made part of the Harrison Heights 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 PUD Plan and Harrison Heights Design Guidelines.
- ii. Unless otherwise specified herein, the development of the Harrison Heights 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 PUD Plan, all general use regulations, performance standards and provisions set forth in the La Vista Zoning Ordinance for the appropriate commercial and residential zoning districts shall apply to any development within the identified area. The negative elements of such uses as loading docks, heating, ventilation, or air conditioning (HVAC) units, or similar

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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 berming and landscaping.

- i. The intent of the design and layout of Lots 1, 2 and 3 is to develop retail, office center(s) and/or individual businesses. The intent of the design and layout for Lots 4 and 5 is to develop senior apartments.

## 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 the identified commercial areas shall be provided based on the City's most current off-street parking requirements for the uses proposed on the property. Commercial uses for Lots 1, 2 and 3 shall be coordinated to ensure the required parking for each use is provided on Lots 1, 2 and 3 as determined by the City of La Vista. Parking on lots in the identified residential areas shall be provided based on the aggregate ratio of one (1) space per unit plus one (1) space per employee on the largest shift.

### a. Landscaping.

- (1) Off-street parking areas containing twenty-five (25) or more parking spaces shall provide internal landscaping, other than that required in a buffer zone or along street frontages, and shall be protected by a concrete curb.
- (2) Landscape islands a minimum of seven (7) feet in width shall be provided at the end of all parking rows. In addition, landscape islands a minimum of seven (7) feet in width shall be provided throughout the parking lots such that no parking space is farther than one hundred twenty (120) feet away from any landscaped space.
- (3) Required trees shall be located to minimize potential damage to vehicles, to insure adequate sight distance, and the maneuvering of emergency vehicles within the development and each lot.
- (4) The internal landscaped areas shall be located to direct traffic, dispersed throughout the lot to improve site aesthetics, and installed so that, when mature, it does not obscure traffic signs, fire hydrants, lighting, drainage patterns on site or adjacent properties, or obstruct vision for safety of ingress or egress.
- (5) Parking areas shall be screened, recessed, or otherwise constructed and located so as to prevent the glare from automobile headlights illuminating adjacent properties and to minimize negative views from public streets.
- (6) Parking area lighting shall be shielded so as to prevent illumination of adjacent properties.
- (7) Off-street loading areas shall not interfere with or impede the circulation or flow of traffic.

## 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 this PUD Plan conflict with or are more restrictive than similar provisions provided in the La Vista Zoning Ordinance, the provisions of this PUD Plan shall control.

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This Ordinance recognizes that because of the size and scope of the project, and because access will be obtained to the development via large public arterial streets, the project has a need for flexibility in the signage regulations applicable thereto.

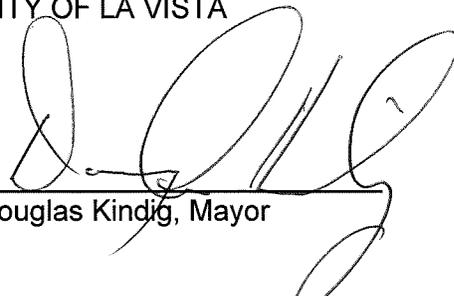
- i. Project Directory Signs. Project Directory Signs shall be allowed on the internal roadways of the subdivision to help facilitate movement through and around the development. The sign area, setback, and number of project directional signs located within the development shall be determined in conjunction with the issuance of the sign permit for the development. The Project Directory Signs may contain directional information about the location of individual businesses within the development, and such information may be set forth the name of the business and use logos, service marks, or stylized letters that are identified with that business. Any Project Directory Sign may contain the Developer's logo for the development.
- ii. Center Identification Signs. Multi-tenant buildings, multi-attached buildings and free standing buildings as part of a mall in the identified area may be allowed to advertise on center Identification signs. Such signs shall be a maximum of twenty-four (24) feet in height and contain a maximum of one hundred fifty (150) square feet of signage. Center identification signs may be allowed for individual users to identify their location off of internal streets or driveways with the approval of a sign permit. Such signs may include logos; located at least twenty (20) feet from the street right-of-way and ten (10) feet from the property line; and at not more than one per entrance.
- iii. Monument Signs. Monument signs for free standing buildings in the identified area shall not exceed fifteen (15) feet in height. Such signs may include logos; located at least ten (10) feet from the street right-of-way and ten (10) feet from the property line; and at not more than one per street frontage.

Section 9. Amendment to this PUD Plan Application for amendments to this PUD plan may be made only by the Developer as long as it holds ownership of any portion of Harrison Heights Subdivision. This shall overwrite Section 5.15.09 of the 2001 LaVista Nebraska zoning ordinance.

Section 10. That this Ordinance shall be in full force and effect after its passage approval and publication in pamphlet form as provided by law.

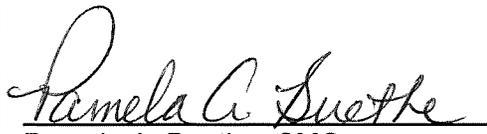
PASSED AND APPROVED THIS 1ST DAY OF DECEMBER 2009.

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe, CMC  
City Clerk

K:\APPS\City Hall\ORDINANCES\1111 PUD Harrison Heights

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## EXHIBIT "A" LEGAL DESCRIPTION

BEING A REPLATTING OF LOTS 13 AND 14, CRESTVIEW HEIGHTS (2ND PLATTING), A SUBDIVISION LOCATED IN THE NE 1/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 13, CRESTVIEW HEIGHTS (2ND PLATTING) SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 12, CRESTVIEW HEIGHTS, A SUBDIVISION LOCATED IN SAID NE 1/4 OF SECTION 14, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF HARRISON STREET; THENCE S02°06'37"E (ASSUMED BEARING) ALONG THE EAST LINE OF SAID LOT 13, CRESTVIEW HEIGHTS (2ND PLATTING), SAID LINE ALSO BEING THE WEST LINE OF SAID LOT 12, CRESTVIEW HEIGHTS, A DISTANCE OF 423.45 FEET TO THE SOUTHEAST CORNER OF SAID LOT 13, CRESTVIEW HEIGHTS (2ND PLATTING), SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 12, CRESTVIEW HEIGHTS, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF GERTRUDE STREET; THENCE WESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF GERTRUDE STREET AND ALSO THE EASTERLY RIGHT-OF-WAY LINE OF SAID GERTRUDE STREET, SAID LINE ALSO BEING THE SOUTHERLY LINE OF SAID LOTS 13 AND 14, CRESTVIEW HEIGHTS (2ND PLATTING), AND ALSO THE WESTERLY LINE OF SAID LOT 14, CRESTVIEW HEIGHTS (2ND PLATTING) ON THE FOLLOWING DESCRIBED COURSES; THENCE SOUTHWESTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 1015.00 FEET, A DISTANCE OF 155.88 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S76°17'22"W, A DISTANCE OF 155.72 FEET; THENCE WESTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 955.00 FEET, A DISTANCE OF 500.03 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S86°53'23"W, A DISTANCE OF 494.34 FEET; THENCE N78°06'37"W, A DISTANCE OF 384.69 FEET; THENCE NORTHERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 285.07 FEET, A DISTANCE OF 374.88 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N40°26'11"W, A DISTANCE OF 348.45 FEET; THENCE N02°45'45"W, A DISTANCE OF 96.98 FEET TO THE NORTHWEST CORNER OF SAID LOT 14, CRESTVIEW HEIGHTS (2ND PLATTING), SAID POINT ALSO BEING THE POINT OF INTERSECTION OF SAID EASTERLY RIGHT-OF-WAY LINE OF GERTRUDE STREET AND SAID SOUTH RIGHT-OF-WAY LINE OF HARRISON STREET; THENCE N87°53'23"E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF HARRISON STREET, SAID LINE ALSO BEING THE NORTH LINE OF SAID LOTS 14 AND 13, CRESTVIEW HEIGHTS (2ND PLATTING), A DISTANCE OF 1237.26 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF 12.044 ACRES, MORE OR LESS.

K:\Projects\2008\2A\1111\Final\Redfield\FP-000.dwg 1/2/08 (Plot) Omaha 11/18/2008 3:50:05 PM Lelze D.F. 111

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## HARRISON HEIGHTS

SUBDIVISION OF LOTS 14 AND 15, CRENSHAW HEIGHTS SUBDIVISION, A SUBDIVISION IN THE CITY OF HARRISON HEIGHTS, NEBRASKA

**NOTE:**

- ALL LOTS ARE SHOWN AS UNIMPROVED LOTS.
- ALL DIMENSIONS AND ANGLES SHOWN ARE APPROXIMATE FOR THE LOCATION OF IMPROVEMENTS.
- ALL DIMENSIONS AND ANGLES SHOWN ARE APPROXIMATE FOR THE LOCATION OF IMPROVEMENTS.
- ALL DIMENSIONS AND ANGLES SHOWN ARE APPROXIMATE FOR THE LOCATION OF IMPROVEMENTS.

**PROPOSED IMPROVEMENTS:**

1. IMPROVE THE EXISTING DRIVEWAY TO THE PROPERTY.

2. IMPROVE THE EXISTING DRIVEWAY TO THE PROPERTY.

3. IMPROVE THE EXISTING DRIVEWAY TO THE PROPERTY.

4. IMPROVE THE EXISTING DRIVEWAY TO THE PROPERTY.

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8. IMPROVE THE EXISTING DRIVEWAY TO THE PROPERTY.

9. IMPROVE THE EXISTING DRIVEWAY TO THE PROPERTY.

10. IMPROVE THE EXISTING DRIVEWAY TO THE PROPERTY.

**APPROVED BY THE BOARD OF SUPERVISORS OF THE CITY OF HARRISON HEIGHTS, NEBRASKA:**

DATE: \_\_\_\_\_

**APPROVED BY THE BOARD OF SUPERVISORS OF THE CITY OF HARRISON HEIGHTS, NEBRASKA:**

DATE: \_\_\_\_\_

**APPROVED BY THE BOARD OF SUPERVISORS OF THE CITY OF HARRISON HEIGHTS, NEBRASKA:**

DATE: \_\_\_\_\_

**APPROVED BY THE BOARD OF SUPERVISORS OF THE CITY OF HARRISON HEIGHTS, NEBRASKA:**

DATE: \_\_\_\_\_

**APPROVED BY THE BOARD OF SUPERVISORS OF THE CITY OF HARRISON HEIGHTS, NEBRASKA:**

DATE: \_\_\_\_\_

**APPROVED BY THE BOARD OF SUPERVISORS OF THE CITY OF HARRISON HEIGHTS, NEBRASKA:**

DATE: \_\_\_\_\_

**APPROVED BY THE BOARD OF SUPERVISORS OF THE CITY OF HARRISON HEIGHTS, NEBRASKA:**

DATE: \_\_\_\_\_

**APPROVED BY THE BOARD OF SUPERVISORS OF THE CITY OF HARRISON HEIGHTS, NEBRASKA:**

DATE: \_\_\_\_\_

## EXHIBIT "B"

FINAL PLAT

**REDFIELD & COMPANY, INC.**  
ENGINEERING • PLANNING • FIELD SERVICES

HARRISON HEIGHTS  
LA VETA, NEBRASKA

DATE	BY	FOR	REMARKS

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Ordinance No. 1111

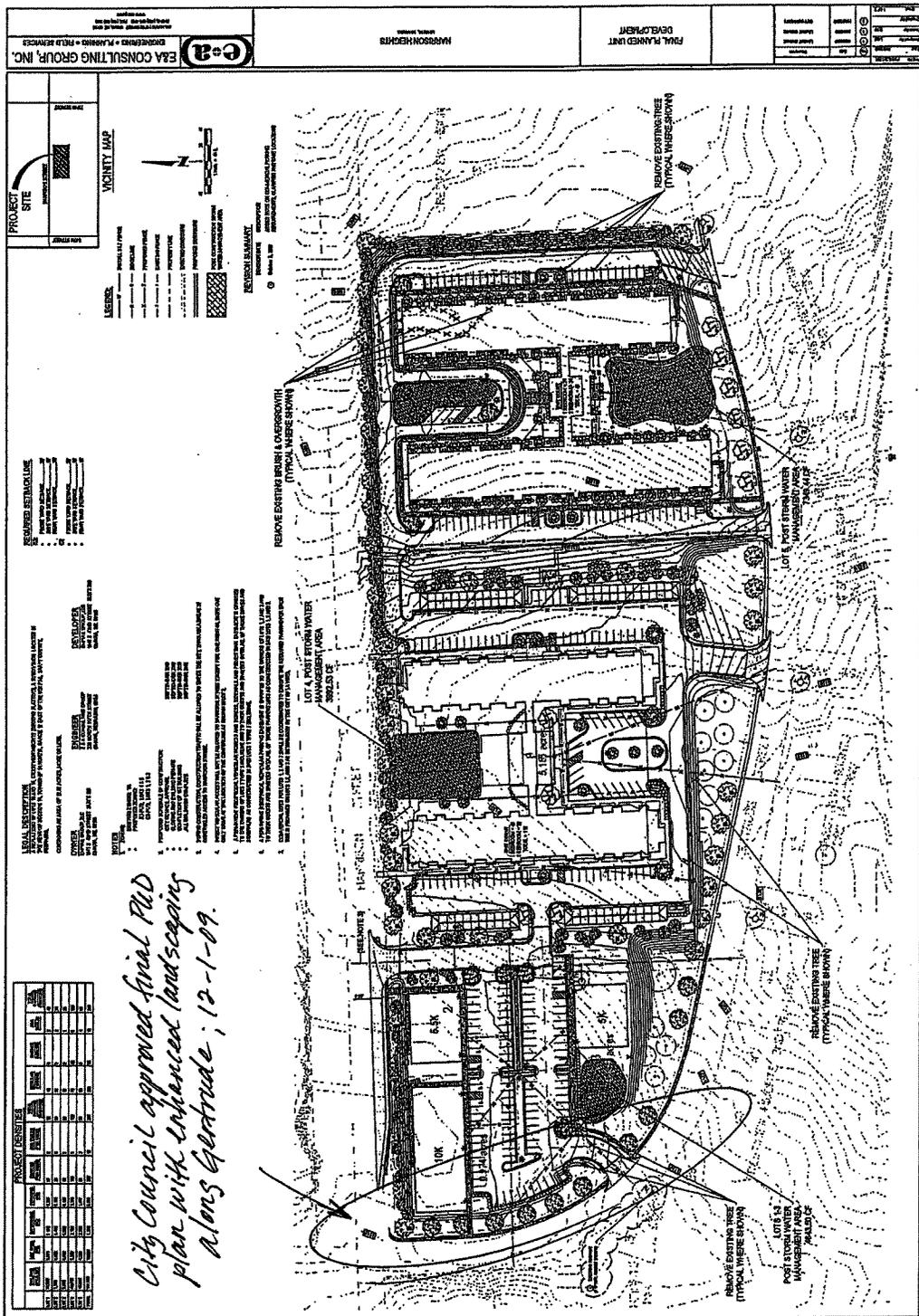


EXHIBIT "C"

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# ORDINANCE RECORD

No. 728—REDFIELD & COMPANY INC., OMAHA

Ordinance No. 1111

**NORTH EXTERIOR BUILDING ELEVATION**  
SCALE: 1/8" = 1'-0"

**SOUTH EXTERIOR BUILDING ELEVATION**  
SCALE: 1/8" = 1'-0"

**EAST EXTERIOR BUILDING ELEVATION**  
SCALE: 1/8" = 1'-0"

**WEST EXTERIOR BUILDING ELEVATION**  
SCALE: 1/8" = 1'-0"

**COMMENTS:**  
1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.  
2. FINISHES AND MATERIALS TO BE DETERMINED BY THE ARCHITECT.  
3. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.  
4. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

Project Number:	2009	Issue Date:	August 13, 2009
Drawn by:	RE	Revised:	
Checked by:	RE	No.	Date
Sheet Name:	EXTERIOR BUILDING ELEVATIONS		
A2.1			

**RE ROBERT W. ENGEL AND ASSOCIATES, ARCHITECTS**  
2110 South 156th Circle  
Omaha, NE 68130-2503  
(402) 330-8287 Fax: (402) 330-8331  
email: RWEArchitects@RWEArchitects.com

**HARRISON HEIGHTS LOT 1**  
75th AND HARRISON STRET  
LA VISTA, NEBRASKA

EXHIBIT "D"

# ORDINANCE RECORD

No. 728-Redfield & Company Inc., Omaha

Ordinance No. 1111

**NORTH EXTERIOR BUILDING ELEVATION**  
SCALE: 1/4" = 1'-0"

**SOUTH EXTERIOR BUILDING ELEVATION**  
SCALE: 1/4" = 1'-0"

**EAST EXTERIOR BUILDING ELEVATION**  
SCALE: 1/4" = 1'-0"

**WEST EXTERIOR BUILDING ELEVATION**  
SCALE: 1/4" = 1'-0"

**REVISIONS**

No.	Date	Description

**NOTES:**  
1. SEE GENERAL NOTES ON SHEET A2.1 FOR MATERIALS AND FINISHES.  
2. SEE GENERAL NOTES ON SHEET A2.1 FOR WINDOW SCHEDULES.  
3. SEE GENERAL NOTES ON SHEET A2.1 FOR DOOR SCHEDULES.  
4. SEE GENERAL NOTES ON SHEET A2.1 FOR LIGHTING SCHEDULES.  
5. SEE GENERAL NOTES ON SHEET A2.1 FOR MECHANICAL SCHEDULES.  
6. SEE GENERAL NOTES ON SHEET A2.1 FOR ELECTRICAL SCHEDULES.  
7. SEE GENERAL NOTES ON SHEET A2.1 FOR PLUMBING SCHEDULES.  
8. SEE GENERAL NOTES ON SHEET A2.1 FOR PAINT SCHEDULES.  
9. SEE GENERAL NOTES ON SHEET A2.1 FOR ROOFING SCHEDULES.  
10. SEE GENERAL NOTES ON SHEET A2.1 FOR LANDSCAPE SCHEDULES.

**PROJECT INFORMATION:**  
Project Number: 8888  
Issue Date: August 15, 2009  
Client: HSA  
Checked by: RWE  
Sheet Name: EXTERIOR BUILDING ELEVATIONS  
A2.2

**ROBERT W. ENGEL AND ASSOCIATES, ARCHITECTS**  
2110 South 156th Circle  
Omaha, NE 68130-2503  
(402) 330-8287 Fax: (402) 330-6331  
email: RWEArchitects@RWEArchitects.com

**HARRISON HEIGHTS LOTS 2 AND 3**  
75th AND HARRISON STRET  
LA VISTA, NEBRASKA

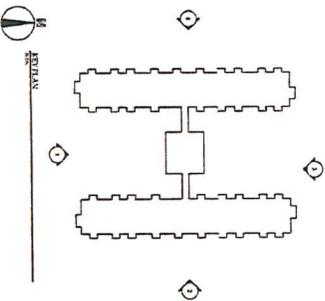
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Lot 4



<p><b>NOTICE</b></p> <p>Redfield &amp; Company Inc., 4414 Dodge Street, Omaha, Nebraska 68131</p> <p>This drawing is the property of Redfield &amp; Company Inc. and is loaned to you for your information only. It is not to be used for any other purpose without the written consent of Redfield &amp; Company Inc. All rights are reserved. No part of this drawing may be reproduced or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Redfield &amp; Company Inc.</p> <p>Redfield &amp; Company Inc. is not responsible for any errors or omissions in this drawing. The user of this drawing is advised to verify all information and dimensions before construction.</p> <p>DATE: 09/09/09</p> <p>BY: [Signature]</p>	
<p><b>CALAMAR</b></p>	
<p><b>CRESTVIEW SENIOR HOUSING RM 9</b></p> <p>ZATH AND HARRISON LA VISTA, NEBRASKA</p>	
<p><b>NOT FOR CONSTRUCTION</b></p>	
<p><b>EXTERIOR ELEVATIONS</b></p>	
<p><b>SILVESTRI ARCHITECTS-PC</b></p> <p>1001 S. 10th Street, Omaha, NE 68102</p> <p>PHONE: 402.441.1111</p> <p>FAX: 402.441.1112</p> <p>WWW: www.silvestri.com</p>	
<p>DATE: 09/09/09</p>	<p>PROJECT: A-301</p>

# ORDINANCE RECORD

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**1 FLOOR PLAN**  
 ARCHITECTURAL FLOOR PLAN showing room layouts: OFFICE, STORAGE, MEET. ROOM, CONF. ROOM, WAITING ROOM, and several GARAGE units. Includes dimensions and grid lines.

**2 FRONT ELEVATION**  
 Elevation drawing of the front facade of the building, showing windows and roofline.

**3 SIDE ELEVATION**  
 Elevation drawing of the side facade of the building.

**4 REAR ELEVATION**  
 Elevation drawing of the rear facade of the building.

**5 SECTION**  
 Cross-section drawing of the building showing structural details like roof trusses, rafters, and floor joists.

**6 DETAIL OF GARAGE SECTION**  
 Detailed cross-section of a garage unit showing structural and finish details.

**NOTICE**  
 This is to certify that the above described plans and specifications were prepared by the undersigned architect and that the same have been approved by the city of La Vista, Nebraska, and that the same are hereby recorded for the purpose of establishing a public record of the same.

**CALAMAR**

**SENIOR HOUSING RM/9 LOT 4 HARRISON HEIGHT La Vista, Nebraska**

**ARCHITECT: THOMAS EDWARDS**  
 1001 N. 10th St. La Vista, Nebraska

**TITLE: PROPOSED GARAGE PLANS, ELEVATIONS & SECTIONS**

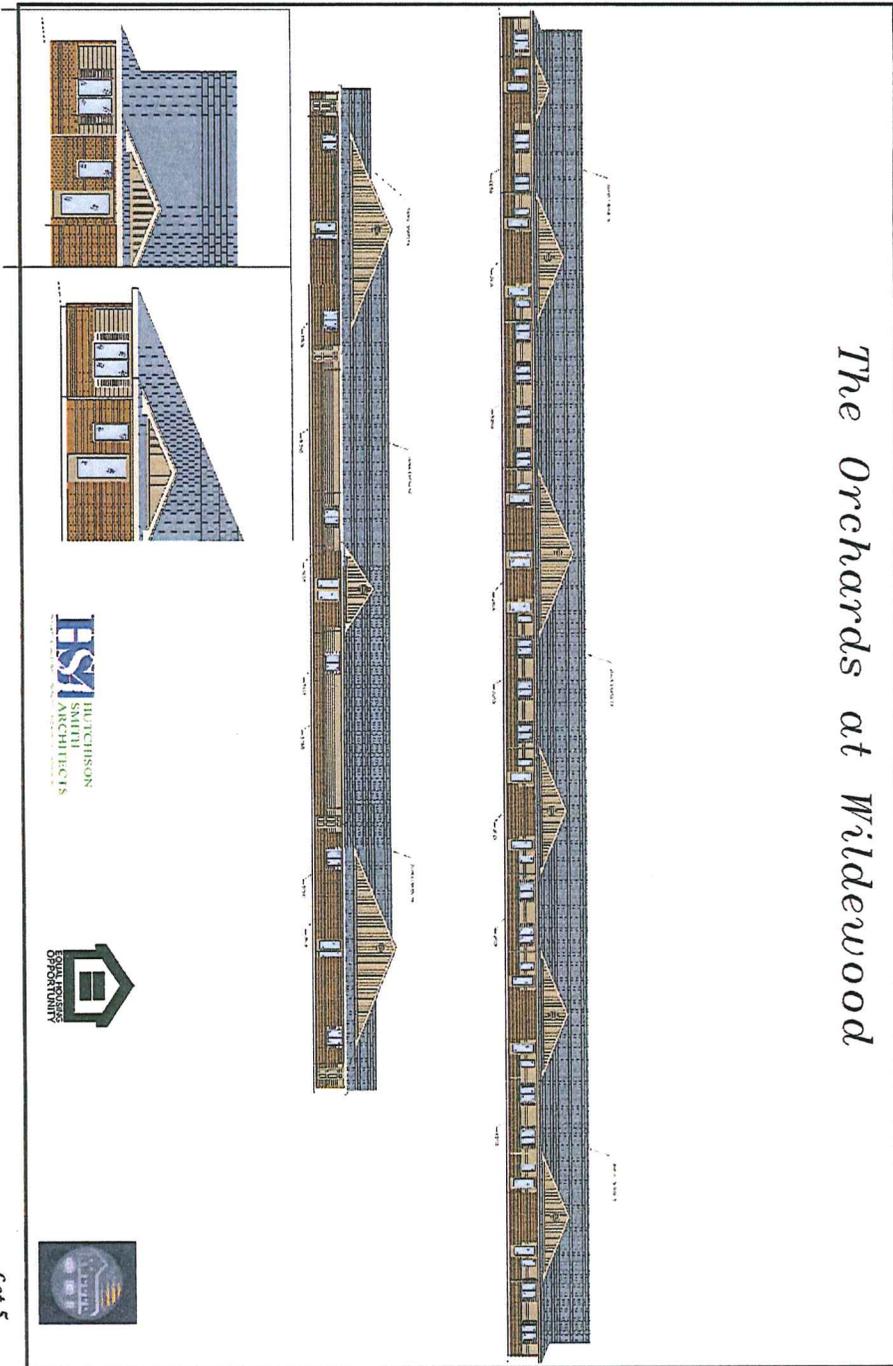
**SILVESTRI ARCHITECTS - PC**  
 P. SILVESTRI  
 ARCHITECT  
 108151 09/22/09  
 DRAWING # A-302

# ORDINANCE RECORD

No. 728-REDFIELD & COMPANY INC., OMAHA

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## *The Orchards at Wildewood*



Lot 5