

Change of Zone 05061

ORDINANCE NO. _____

1 AN ORDINANCE amending the Lincoln Zoning District Maps attached to and made a
2 part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln
3 Municipal Code, by changing the boundaries of the districts established and shown thereon.

4 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

5 Section 1. That the "Lincoln Zoning District Maps" attached to and made a part of Title
6 27 of the Lincoln Municipal Code be and they are hereby amended by changing the boundaries
7 of the districts established and shown on said Maps as follows:

8 A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF LOTS 20 &
9 21 I.T., A PORTION OF WEST DENTON ROAD RIGHT-OF-WAY, AND LOT 17
10 I.T., ALL LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15,
11 TOWNSHIP 9 NORTH, RANGE 6 EAST, A PORTION OF LOT 20 I.T., A
12 PORTION OF WEST DENTON ROAD RIGHT-OF-WAY, AND A PORTION
13 OF SOUTH 1ST STREET RIGHT-OF-WAY, ALL LOCATED IN THE
14 NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH,
15 RANGE 6 EAST, LOT 49 I.T., AND A PORTION OF SOUTH 1ST STREET
16 RIGHT-OF-WAY, ALL LOCATED IN THE NORTHWEST QUARTER OF
17 SECTION 23, TOWNSHIP 9 NORTH, RANGE 6 EAST, ALL OF THE 6TH
18 P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY
19 DESCRIBED AS FOLLOWS:

20 COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST
21 QUARTER OF SAID SECTION 15, THENCE EAST ALONG THE SOUTH LINE
22 OF SAID SOUTHEAST QUARTER ON AN ASSUMED BEARING OF SOUTH 89
23 DEGREES 27 MINUTES 24 SECONDS EAST, A DISTANCE OF 121.31 FEET
24 TO A POINT, THENCE SOUTH 00 DEGREES 32 MINUTES 36 SECONDS
25 WEST, A DISTANCE OF 21.54 FEET TO **THE TRUE POINT OF BEGINNING**;
26 THENCE NORTH 67 DEGREES 19 MINUTES 56 SECONDS EAST, A
27 DISTANCE OF 461.33 FEET TO A POINT, THENCE NORTH 58 DEGREES 52
28 MINUTES 43 SECONDS EAST, A DISTANCE OF 763.14 FEET TO A POINT,
29 THENCE NORTH 51 DEGREES 35 MINUTES 03 SECONDS EAST, A
30 DISTANCE OF 301.76 FEET TO A POINT, THENCE NORTH 56 DEGREES 08
31 MINUTES 37 SECONDS EAST, A DISTANCE OF 173.70 FEET TO A POINT,
32 THENCE NORTH 58 DEGREES 08 MINUTES 19 SECONDS EAST, A
33 DISTANCE OF 786.59 FEET TO A POINT, THENCE SOUTH 57 DEGREES 36
34 MINUTES 54 SECONDS EAST, A DISTANCE OF 431.49 FEET TO A POINT OF
35 INTERSECTION WITH THE NORTH LINE OF WEST DENTON ROAD RIGHT-

1 OF-WAY, SAID POINT BEING A POINT OF CURVATURE OF A NON
2 TANGENT CURVE, THENCE ALONG A CURVE IN A CLOCKWISE
3 DIRECTION, HAVING A DELTA ANGLE OF 39 DEGREES 38 MINUTES 05
4 SECONDS, A RADIUS OF 1,041.35 FEET, A ARC LENGTH OF 720.36 FEET, A
5 CHORD BEARING OF SOUTH 23 DEGREES 02 MINUTES 29 SECONDS
6 WEST ALONG THE NORTH LINE OF SAID RIGHT-OF-WAY, AND A CHORD
7 DISTANCE OF 706.08 FEET TO A POINT OF INTERSECTION WITH THE
8 EXTENSION OF THE SOUTHWEST LINE SOUTH 1ST STREET RIGHT-OF-
9 WAY, THENCE SOUTH 50 DEGREES 32 MINUTES 48 SECONDS EAST
10 ALONG THE SOUTHWEST LINE OF SAID RIGHT-OF-WAY AND ITS
11 EXTENSION, A DISTANCE OF 243.06 FEET TO A POINT OF CURVATURE,
12 THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA
13 ANGLE OF 50 DEGREES 48 MINUTES 34 SECONDS, A RADIUS OF 350.00
14 FEET, A ARC LENGTH OF 310.38 FEET, A CHORD BEARING OF SOUTH 25
15 DEGREES 08 MINUTES 31 SECONDS EAST ALONG THE SOUTHWEST LINE
16 OF SAID RIGHT-OF-WAY, AND A CHORD DISTANCE OF 300.31 FEET TO A
17 POINT, THENCE SOUTH 89 DEGREES 27 MINUTES 24 SECONDS EAST
18 ALONG A NORTH LINE OF SAID LOT 20 I.T., AND ITS EXTENSION, A
19 DISTANCE OF 50.02 FEET TO A POINT OF INTERSECTION WITH THE EAST
20 LINE OF THE NORTHEAST QUARTER OF SECTION 22, THENCE SOUTH 00
21 DEGREES 04 MINUTES 06 SECONDS WEST ALONG THE EAST LINE OF
22 SAID NORTHEAST QUARTER, A DISTANCE OF 57.75 FEET TO A POINT OF
23 INTERSECTION WITH THE EXTENSION OF THE NORTH LINE OF SAID LOT
24 49 I.T., THENCE SOUTH 89 DEGREES 55 MINUTES 54 SECONDS EAST
25 ALONG THE NORTH LINE OF SAID LOT 49 I.T., AND ITS EXTENSION, A
26 DISTANCE OF 592.08 FEET TO A POINT, THENCE SOUTH 21 DEGREES 05
27 MINUTES 04 SECONDS EAST ALONG A NORTHEAST LINE OF SAID LOT 49
28 I.T., A DISTANCE OF 554.58 FEET TO A EAST CORNER OF SAID LOT 49 I.T.,
29 SAID POINT BEING A POINT OF CURVATURE OF A NON TANGENT CURVE,
30 THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION,
31 HAVING A DELTA ANGLE OF 10 DEGREES 30 MINUTES 31 SECONDS, A
32 RADIUS OF 4,372.28 FEET, A ARC LENGTH OF 801.92 FEET, A CHORD
33 BEARING OF SOUTH 26 DEGREES 22 MINUTES 17 SECONDS WEST
34 ALONG THE SOUTHEAST LINE OF SAID LOT 49 I.T., AND A CHORD
35 DISTANCE OF 800.80 FEET TO THE SOUTHEAST CORNER OF SAID LOT 49
36 I.T., THENCE NORTH 89 DEGREES 49 MINUTES 56 SECONDS WEST
37 ALONG THE SOUTH LINE OF SAID LOT 49 I.T., AND ITS EXTENSION, A
38 DISTANCE OF 432.88 FEET TO A POINT OF INTERSECTION WITH THE
39 EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 22, THENCE
40 SOUTH 00 DEGREES 07 MINUTES 47 SECONDS EAST ALONG THE EAST
41 LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 241.46 FEET TO A
42 POINT, THENCE SOUTH 89 DEGREES 52 MINUTES 13 SECONDS WEST, A
43 DISTANCE OF 138.53 FEET TO A POINT OF CURVATURE, THENCE ALONG
44 A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 58
45 DEGREES 31 MINUTES 33 SECONDS, A RADIUS OF 125.28 FEET, A ARC
46 LENGTH OF 127.97 FEET, A CHORD BEARING OF NORTH 60 DEGREES 52
47 MINUTES 01 SECONDS WEST, AND A CHORD DISTANCE OF 122.47 FEET
48 TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A
49 COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 81
50 DEGREES 58 MINUTES 38 SECONDS, A RADIUS OF 75.00 FEET, A ARC

1 LENGTH OF 107.31 FEET, A CHORD BEARING OF NORTH 72 DEGREES 35
2 MINUTES 33 SECONDS WEST, AND A CHORD DISTANCE OF 98.39 FEET
3 TO A POINT, THENCE SOUTH 66 DEGREES 25 MINUTES 08 SECONDS
4 WEST, A DISTANCE OF 69.12 FEET TO A POINT OF CURVATURE, THENCE
5 ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE
6 OF 27 DEGREES 18 MINUTES 02 SECONDS, A RADIUS OF 150.00 FEET, A
7 ARC LENGTH OF 71.47 FEET, A CHORD BEARING OF SOUTH 80 DEGREES
8 04 MINUTES 09 SECONDS WEST, AND A CHORD DISTANCE OF 70.80 FEET
9 TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A
10 COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 57
11 DEGREES 02 MINUTES 11 SECONDS, A RADIUS OF 97.16 FEET, A ARC
12 LENGTH OF 96.72 FEET, A CHORD BEARING OF SOUTH 65 DEGREES 12
13 MINUTES 05 SECONDS WEST, AND A CHORD DISTANCE OF 92.78 FEET
14 TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A
15 CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 102 DEGREES 46
16 MINUTES 49 SECONDS, A RADIUS OF 85.00 FEET, A ARC LENGTH OF
17 152.48 FEET, A CHORD BEARING OF SOUTH 88 DEGREES 04 MINUTES 24
18 SECONDS WEST, AND A CHORD DISTANCE OF 132.84 FEET TO A POINT,
19 THENCE NORTH 40 DEGREES 32 MINUTES 12 SECONDS WEST, A
20 DISTANCE OF 105.48 FEET TO A POINT OF CURVATURE, THENCE ALONG
21 A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA
22 ANGLE OF 37 DEGREES 30 MINUTES 22 SECONDS, A RADIUS OF 100.00
23 FEET, A ARC LENGTH OF 65.46 FEET, A CHORD BEARING OF NORTH 59
24 DEGREES 17 MINUTES 23 SECONDS WEST, AND A CHORD DISTANCE OF
25 64.30 FEET TO A POINT, THENCE NORTH 78 DEGREES 02 MINUTES 33
26 SECONDS WEST, A DISTANCE OF 90.87 FEET TO A POINT OF
27 CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE
28 DIRECTION, HAVING A DELTA ANGLE OF 38 DEGREES 21 MINUTES 43
29 SECONDS, A RADIUS OF 75.00 FEET, A ARC LENGTH OF 50.22 FEET, A
30 CHORD BEARING OF SOUTH 82 DEGREES 46 MINUTES 35 SECONDS
31 WEST, AND A CHORD DISTANCE OF 49.28 FEET TO A POINT, THENCE
32 SOUTH 63 DEGREES 35 MINUTES 43 SECONDS WEST, A DISTANCE OF
33 83.82 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A
34 CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 26 DEGREES 35
35 MINUTES 54 SECONDS, A RADIUS OF 150.00 FEET, A ARC LENGTH OF
36 69.63 FEET, A CHORD BEARING OF SOUTH 76 DEGREES 53 MINUTES 40
37 SECONDS WEST, AND A CHORD DISTANCE OF 69.01 FEET TO A POINT OF
38 REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER
39 CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 53 DEGREES 31
40 MINUTES 16 SECONDS, A RADIUS OF 75.00 FEET, A ARC LENGTH OF
41 70.06 FEET, A CHORD BEARING OF SOUTH 63 DEGREES 25 MINUTES 59
42 SECONDS WEST, AND A CHORD DISTANCE OF 67.54 FEET TO A POINT OF
43 REVERSE CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE
44 DIRECTION HAVING A DELTA ANGLE OF 36 DEGREES 31 MINUTES 51
45 SECONDS, A RADIUS OF 220.27 FEET, A ARC LENGTH OF 140.44 FEET, A
46 CHORD BEARING OF SOUTH 54 DEGREES 56 MINUTES 16 SECONDS
47 WEST, AND A CHORD DISTANCE OF 138.07 FEET TO A POINT, THENCE
48 SOUTH 73 DEGREES 12 MINUTES 12 SECONDS WEST, A DISTANCE OF
49 148.09 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A
50 CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 55 DEGREES 21

1 MINUTES 16 SECONDS, A RADIUS OF 135.23 FEET, A ARC LENGTH OF
2 130.65 FEET, A CHORD BEARING OF NORTH 79 DEGREES 07 MINUTES 10
3 SECONDS WEST, AND A CHORD DISTANCE OF 125.63 FEET TO A POINT
4 OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER
5 CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 67 DEGREES 49
6 MINUTES 49 SECONDS, A RADIUS OF 75.00 FEET, A ARC LENGTH OF
7 88.79 FEET, A CHORD BEARING OF NORTH 85 DEGREES 21 MINUTES 27
8 SECONDS WEST, AND A CHORD DISTANCE OF 83.69 FEET TO A POINT OF
9 REVERSE CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE
10 DIRECTION HAVING A DELTA ANGLE OF 29 DEGREES 59 MINUTES 18
11 SECONDS, A RADIUS OF 375.00 FEET, A ARC LENGTH OF 196.27 FEET, A
12 CHORD BEARING OF SOUTH 75 DEGREES 43 MINUTES 18 SECONDS
13 WEST, AND A CHORD DISTANCE OF 194.04 FEET TO A POINT OF
14 REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER
15 CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 18 DEGREES 58
16 MINUTES 21 SECONDS, A RADIUS OF 250.00 FEET, A ARC LENGTH OF
17 82.78 FEET, A CHORD BEARING OF SOUTH 81 DEGREES 13 MINUTES 47
18 SECONDS WEST, AND A CHORD DISTANCE OF 82.41 FEET TO A POINT OF
19 REVERSE CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE
20 DIRECTION HAVING A DELTA ANGLE OF 32 DEGREES 04 MINUTES 32
21 SECONDS, A RADIUS OF 200.00 FEET, A ARC LENGTH OF 111.96 FEET, A
22 CHORD BEARING OF SOUTH 87 DEGREES 46 MINUTES 52 SECONDS
23 WEST, AND A CHORD DISTANCE OF 110.51 FEET TO A POINT OF
24 REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER
25 CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 33 DEGREES 18
26 MINUTES 57 SECONDS, A RADIUS OF 150.00 FEET, A ARC LENGTH OF
27 87.22 FEET, A CHORD BEARING OF SOUTH 87 DEGREES 09 MINUTES 40
28 SECONDS WEST, AND A CHORD DISTANCE OF 86.00 FEET TO A POINT,
29 THENCE SOUTH 70 DEGREES 30 MINUTES 11 SECONDS WEST, A
30 DISTANCE OF 78.72 FEET TO A POINT OF CURVATURE, THENCE ALONG A
31 CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE
32 OF 45 DEGREES 15 MINUTES 25 SECONDS, A RADIUS OF 125.00 FEET, A
33 ARC LENGTH OF 98.74 FEET, A CHORD BEARING OF SOUTH 47 DEGREES
34 52 MINUTES 28 SECONDS WEST, AND A CHORD DISTANCE OF 96.19 FEET
35 TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A
36 CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 112 DEGREES 06
37 MINUTES 25 SECONDS, A RADIUS OF 205.96 FEET, A ARC LENGTH OF
38 402.99 FEET, A CHORD BEARING OF SOUTH 81 DEGREES 17 MINUTES 58
39 SECONDS WEST, AND A CHORD DISTANCE OF 341.71 FEET TO A POINT,
40 THENCE NORTH 42 DEGREES 38 MINUTES 49 SECONDS WEST, A
41 DISTANCE OF 10.88 FEET TO A POINT, THENCE NORTH 00 DEGREES 00
42 MINUTES 58 SECONDS WEST, A DISTANCE OF 1,622.18 FEET TO A POINT
43 OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE
44 DIRECTION, HAVING A DELTA ANGLE OF 07 DEGREES 09 MINUTES 26
45 SECONDS, A RADIUS OF 1,560.00 FEET, A ARC LENGTH OF 194.87 FEET, A
46 CHORD BEARING OF NORTH 03 DEGREES 35 MINUTES 41 SECONDS
47 WEST, AND A CHORD DISTANCE OF 194.75 FEET TO THE POINT OF
48 BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF
49 6,538,986.40 SQUARE FEET OR 150.1144 ACRES, MORE OR LESS;

1 be and they hereby are (1) transferred from the AG Agricultural District and AGR Agricultural
2 Residential to the B-2 Planned Neighborhood Business District and are hereby made a part of
3 the B-2 Planned Neighborhood Business District (2) designated as an overlay Planned Unit
4 District pursuant to and in accordance with Chapter 27.60 of the Lincoln Municipal Code entitled
5 "Planned Unit Development District" and (3) governed by all the provisions and regulations
6 pertaining to the underlying B-2 Planned Neighborhood Business District except as modified in
7 Section 3 below.

8 Section 2. That the "Lincoln Zoning District Maps" attached to and made a part of Title
9 27 of the Lincoln Municipal Code be and they are hereby amended by changing the boundaries
10 of the districts established and shown on said Maps as follows:

11 A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A
12 PORTION OF LOT 22 I.T., LOCATED IN THE SOUTHEAST QUARTER OF
13 SECTION 15, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6TH P.M.,
14 LANCASTER COUNTY, STATE OF NEBRASKA, AND MORE PARTICULARLY
15 DESCRIBED AS FOLLOWS:

16 COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST
17 QUARTER OF SAID SECTION 15, THENCE EAST ALONG THE SOUTH LINE
18 OF SAID SOUTHEAST QUARTER ON AN ASSUMED BEARING OF SOUTH 89
19 DEGREES 27 MINUTES 24 SECONDS EAST, A DISTANCE OF 99.66 FEET
20 TO A POINT, THENCE NORTH 00 DEGREES 32 MINUTES 36 SECONDS
21 EAST, A DISTANCE OF 156.41 FEET TO **THE TRUE POINT OF BEGINNING**,
22 THENCE NORTH 06 DEGREES 08 MINUTES 30 SECONDS WEST, A
23 DISTANCE OF 374.26 FEET TO A POINT LOCATED 60.00 FEET EAST OF
24 THE WEST LINE OF SAID SOUTHEAST QUARTER, THENCE NORTH 00
25 DEGREES 07 MINUTES 11 SECONDS EAST ALONG A LINE 60.00 FEET
26 EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST
27 QUARTER, A DISTANCE OF 2,125.67 FEET TO A POINT OF INTERSECTION
28 WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER, SAID LINE BEING
29 THE NORTH LINE OF SAID LOT 18 I.T., THENCE SOUTH 89 DEGREES 22
30 MINUTES 31 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 18
31 I.T., SAID LINE BEING THE NORTH LINE OF SAID SOUTHEAST QUARTER, A
32 DISTANCE OF 2,197.02 FEET TO A POINT, THENCE SOUTH 23 DEGREES
33 40 MINUTES 15 SECONDS WEST, A DISTANCE OF 679.81 FEET TO A POINT
34 OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE
35 IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 48
36 DEGREES 35 MINUTES 11 SECONDS, A RADIUS OF 618.08 FEET, A ARC
37 LENGTH OF 524.13 FEET, A CHORD BEARING OF SOUTH 10 DEGREES 38
38 MINUTES 02 SECONDS EAST, AND A CHORD DISTANCE OF 508.57 FEET
39 TO A POINT, THENCE SOUTH 52 DEGREES 29 MINUTES 22 SECONDS

1 WEST, A DISTANCE OF 600.37 FEET TO A POINT, THENCE SOUTH 52
2 DEGREES 45 MINUTES 27 SECONDS WEST, A DISTANCE OF 1,294.30
3 FEET TO A POINT, THENCE SOUTH 66 DEGREES 56 MINUTES 10
4 SECONDS WEST, A DISTANCE OF 516.92 FEET TO THE POINT OF
5 BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF
6 3,784,400.25 SQUARE FEET OR 86.8779 ACRES, MORE OR LESS;

7 be and they hereby are (1) transferred from the AG Agricultural District and AGR Agricultural
8 Residential to the B-2 Planned Neighborhood Business District and are hereby made a part of
9 the B-2 Planned Neighborhood Business District (2) designated as an overlay Planned Unit
10 District pursuant to and in accordance with Chapter 27.60 of the Lincoln Municipal Code entitled
11 "Planned Unit Development District" and (3) governed by all the provisions and regulations
12 pertaining to the underlying B-2 Planned Neighborhood Business District except as modified in
13 Section 3 below.

14 Section 3. Dial - Southwest Village LP, Western Hemisphere Holding Company LLC,
15 Ridge Development and Southview Inc.'s Development Plan for Southwest Village Planned Unit
16 Development as set forth in their application (including the Southwest Village P.U.D. General
17 Notes and Southview Village P.U.D. Site Plan, General Site Notes) be and the same is hereby
18 approved upon condition that construction and operation of said Planned Unit Development by
19 Dial - Southwest Village LP, Western Hemisphere Holding Company LLC, Ridge Development
20 and Southview Inc., and their successors and assigns, be in strict compliance with said
21 application, the site plan, and the following express terms and conditions and requirements:

22 a. This approval permits 1,300,000 square feet of office, commercial, and
23 industrial floor area, hotels and motels up to 250 rooms, and up to 160 dwelling units with
24 modifications to the Zoning Ordinance and Land Subdivision Ordinance as stated in the
25 Development Plan.

26 b. Prior to obtaining final plat approval of any portion of the area south of
27 West Denton Road, the owners will enter into a conservation easement agreement with the City.

28 c. City Council approves ANN#05014.

- 1 d. Before receiving building permits:
- 2 i. The Permittee shall have submitted a reproducible final plan and
- 3 the plans are acceptable:
- 4 ii. The construction plans shall comply with the approved plans.
- 5 iii. Final Plats shall be approved by the City.
- 6 e. Before occupying the buildings all development and construction shall
- 7 have been completed in compliance with the approved plans.
- 8 f. All privately-owned improvements shall be permanently maintained by the
- 9 owner or an appropriately established homeowners association approved by the City Attorney.
- 10 g. The site plan accompanying this permit shall be the basis for all
- 11 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
- 12 elements, and similar matters.
- 13 h. This ordinance's terms, conditions, and requirements bind and obligate
- 14 the Permittee, its successors and assigns.

15 Section 4. The City Clerk shall file a copy of the ordinance approving the PUD and

16 the letter of acceptance with the Register of Deeds. The Permittee shall pay the recording fee

17 in advance.

18 Section 5. Pursuant to Article VII, Section 7 of the City Charter, this ordinance shall

19 be posted on the official bulletin board of the City in lieu of and in place of newspaper

20 publication with notice of passage and such posting to be given by publication one time in the

21 official newspaper by the City Clerk. This ordinance shall take effect and be in force from and

22 after its passage and publication as herein and in the City Charter provided.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2006:

Mayor