

Change of Zone 08057

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 The remaining portions of Lots 3 - 8 and vacated north-south alley
9 adjacent thereto, Block 41, University Place, Lincoln, Lancaster
10 County, Nebraska

11 be and they hereby are transferred from the B-3 Commercial District to the P Public Use District
12 and are hereby made a part of the P Public Use District and governed by all the provisions and
13 regulations pertaining to the P Public Use District.

14 Section 2. That the "Lincoln Zoning District Maps" attached to and made a part of Title
15 27 of the Lincoln Municipal Code be and they are hereby amended by changing the boundaries
16 of the districts established and shown on said Maps as follows:

17 The remaining portions of Lots 11 and 12, Block 41, Imhoff's
18 Addition to University Place, located in the Southwest Quarter of
19 Section 8-10-7; remaining portions of Lots 7 - 9, Block 22,
20 University Place, located in the Southeast Quarter of Section 8-
21 10-7; remaining portions of Lots 1 and 2, Block 41, University
22 Place, and Lot 6, Block 48, University Place, and Lots 1 and 2,
23 Everett's Subdivision 1st, and remaining portions of Lots 1 - 6 and
24 11 - 14, W.G. Miller's Subdivision and vacated north-south alley
25 adjacent thereto and Lots 1 and 2, Halls Addition to University
26 Place, and Lots 3 - 8 and vacated north-south alley adjacent
27 thereto, Block 68, University Place, and Lots 1 - 6, Beecher's
28 Subdivision, and Lots A - I, Lang's Subdivision, and Lots 1 - 10,
29 Block 75, University Place, and Lots 1 - 6, Winter's Subdivision,
30 and Lot 12, Block 74, University Place, and Lots 1 - 12, Block 87,

1 University Place, and Lots 1 - 6, Block 94, University Place,
2 located in the Northwest Quarter of Section 17-10-7; Lots 3 and 4
3 and remaining portions of Lots 1 and 2 and Lots 9 - 16, Block 40,
4 University Place, and remaining portions of Lots 1 - 4 and Lots 5
5 and 6, Burch's Subdivision, and Lots 7 - 9, Block 49, University
6 Place, and Lots 1 - 6, Baldwin's Subdivision, and Lots 1 - 6,
7 Smith's Subdivision, and Lots 1 - 4 and 9 - 12, Block 67,
8 University Place, and Lots 1 - 6, Ellinwood & Shanks Subdivision,
9 and Lots 1 - 6, Warren's Subdivision and vacated north-south
10 alley adjacent thereto and Lots 1 - 4 and 9 - 12, Block 76,
11 University Place, and Lots 1 - 12 and vacated east-west alley
12 adjacent thereto, Block 86, University Place, and Lots 1 - 6 and 8 -
13 12 and remaining portion of Lot 7, Block 95, University Place, and
14 Lots 1 - 5 and 8 - 10 and remaining portions of Lots 6 and 7 and
15 the west half of Lot 11, Block 112, University Place, located in the
16 Northeast Quarter of Section 17-10-7; Lots 1 - 5 and 8 - 12 and
17 remaining portions of Lots 6 and 7, Block 117, University Place,
18 and Lots 1 - 5 and 8 - 12 and remaining portions of Lots 6 and 7
19 and vacated east-west alley adjacent thereto, Block 130,
20 University Place and west half of vacated North 49th Street, north
21 half of vacated Colby Street, and northwest quarter of vacated
22 intersection of Colby Street and North 49th Street adjacent to
23 block 130, University Place, located in the Southeast Quarter of
24 Section 17-10-7; all in Lancaster County, Nebraska;

25 currently zoned B-3 Commercial District be and they hereby are designated as a Planned Unit
26 Development District pursuant to and in accordance with Chapter 27.60 of the Lincoln Municipal
27 Code entitled "Planned Unit Development District"; and remain governed by all the provisions
28 and regulations pertaining to the B-3 Commercial District except as modified in Section 3 below.

29 Section 3. The Development Plan submitted by the Urban Development Department
30 ("Permittee") for the University Place Planned Unit Development, proposing that any number of
31 dwelling units and square footage of other uses be permitted in the Planned Unit Development
32 District subject to the requirements of the PUD and zoning ordinance and requesting the
33 following waivers/modifications:

- 34 a. Section 27.33.030, to allow dwellings on the first floor except within 50
35 feet of the right-of-way of North 48th Street;
- 36 b. Section 27.60.030 to waive the requirement that the PUD provide design
37 standards for buildings;

- 1 c. Section 27.67.020 to allow parking requirement to be met within 600 feet
2 of the property;
- 3 d. Section 27.67.020 and 27.67.040 to reduce the parking requirement by
4 50% for all nonresidential uses within the PUD;
- 5 e. Section 27.67.020 to increase the residential parking requirement to 1.75
6 spaces per dwelling for residential uses not part of a mixed use
7 development;
- 8 f. Section 27.67.040 to expand joint parking opportunities to include uses
9 which do not have nonconcurrent parking demand if there is a surplus of
10 required parking stalls; allow university land to be used for joint parking;
11 and to waive the requirement that parties to a joint parking agreement
12 reserve land to supply parking in the event of a change in use;
- 13 g. Section 27.69.035 to prohibit off premises signs;
- 14 h. Section 27.69.050 to prohibit pole signs and to allow permitted ground
15 signs not to exceed 50 square feet in total area;

16 is hereby approved provided that all new construction or changes in use within the boundaries
17 of the PUD shall adhere to the underlying B-3 zoning except where modified by the PUD as
18 follows:

- 19 a. Land Uses:
 - 20 i. Dwellings are permitted on the first floor except within 50' of the
21 right of way of N. 48th Street.
- 22 b. Parking
 - 23 i. Parking requirement may be met within 600' of the property line.
 - 24 ii. Due to the availability of on-street parking and City-owned off-
25 street parking lots, an overall ratio reduction of 50% shall apply to
26 all nonresidential uses within the PUD, including all nonresidential
27 uses with special parking requirements listed under 27.67.040.
28 Additional minor amendments in the ratio may be approved
29 administratively by the Planning Director, based on changes in
30 land use and parking within and near to the PUD.
 - 31 iii. Residential uses with special parking requirements listed under
32 27.67.040 shall adhere to the parking requirements of the
33 ordinance. The 50% ratio reduction does not apply.
 - 34
 - 35

- 1 iv. Residential parking requirement is 1 space per dwelling unit if part
2 of a mixed-use development on a single premises. The 50% ratio
3 reduction does not apply.
- 4 v. Residential uses not part of a mixed-use development shall have
5 a parking requirement of 1.75 spaces per dwelling unit. The 50%
6 ratio reduction does not apply.
- 7 vi. If the ratio reduction for a use still results in inadequate parking,
8 an additional option is a joint parking agreement. Joint parking is
9 currently permitted in the B-3 district by 27.67.040(dd). The PUD
10 makes the following modifications to the joint parking ordinance:
- 11 (1) A premises which does not have nonconcurrent parking
12 demand which is determined to have a parking surplus
13 based on the PUD parking requirements may enter into a
14 joint parking agreement with their additional stalls.
- 15 (2) In addition to churches and chapels, university land may
16 also be used for joint parking agreements.
- 17 (3) The parties involved in a joint parking agreement are not
18 required to reserve adequate land to supply parking in the
19 event the nonconcurrent parking demand changes due to
20 a change in use.
- 21 Where additional parking is required due to a change in use for a property
22 involved in a joint parking agreement, the new use will have to provide,
23 acquire, or enter into another agreement to accumulate the additional
24 spaces necessary to meet the new parking requirement.
- 25
- 26 c. Height and Area Regulations
- 27 i. B-3 height and area regulations shall apply unless and until the
28 PUD is amended.
- 29 d. Signs
- 30 i. Pole signs are prohibited.
- 31 ii. Off-premises signs are prohibited.
- 32 iii. Permitted ground signs not to exceed 10' in height or 50 square
33 feet in total area.
- 34 iv. Signs need not be shown on this site plan, but need to be in
35 compliance with Chapter 27.69 of the Lincoln Zoning Ordinance
36 (except as modified by this PUD), and must be approved by
37 Building and Safety Department prior to installation.

1 Section 4. This ordinance shall take effect and be in force from and after its passage
2 and publication as herein and in the City Charter provided.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2008:

Mayor