

MOTION TO AMEND NO. 1

I hereby move to amend Bill No. 10-135 in the following manner:

1. On page 6, after line 34, add a new condition number xix. to read as follows:

xix. Revise General Note 15 to read: New improvements and the relocation of existing utilities and intersections, and road within the Nebraska Innovation Campus PUD will be at the developer's expense. In addition, costs associated with the installation of traffic signals, intersection relocation and turn lane improvements adjacent to the Nebraska Innovation Campus PUD along the Salt Creek Roadway will be at the developer's expense.

Introduced by:

Approved as to Form & Legality:

City Attorney

Requested by: Planning Department

Reason for Request: To clarify that the NIC developer will be responsible for improvements and relocations within the NIC as well as road improvements in Salt Creek Roadway adjacent to the NIC.

MEMORANDUM

TO: City Council

FROM: Marvin Krout, Director of Planning 

SUBJECT: Bill #10-135, Change of Zone No. 10018
Nebraska Innovation Campus (NIC) Planned Unit Development
Change of Zone No. 10018

DATE: October 27, 2010

cc: Rick Peo, City Law Department
Joel Pedersen, General Counsel, UNL
Jennifer Dam, Campus Planning & Space Management, UNL
Devin Biesecker, Watershed Management
Dennis Bartels, Engineering Services
Joan Ross, City Clerk

Change of Zone No. 10018, the Nebraska Innovation Campus (NIC) Planned Unit Development, Bill #10-135, was introduced on Monday, October 25, 2010.

At the public hearing before the Planning Commission, the applicant requested that General Note #17 be deleted (the General Notes are found on p.27-30 of the Factsheet for Bill #10-135):

Other than Block 3, Lot 1, grading work for Phase 1 will be confined to areas outside the floodplain until grading for compensatory mitigation in Phase 1A is completed.

Upon further discussion, the applicant agreed that Note #17 could remain in place with the opportunity to work with staff before the public hearing before the City Council. Therefore, the Planning Commission did not delete Note #17 in their recommendation.

Subsequent to the Planning Commission hearing and action, and subsequent to the preparation of the Factsheet, the applicant and the staff have negotiated and agreed to add a condition of approval to the PUD as follows:

Delete general note 17 from the PUD general notes and submit a plan sheet showing areas that may be filled prior to compensatory flood storage.

This new condition has been incorporated as paragraph 2.a.xviii. in the ordinance which has been submitted to the City Council and therefore does not require a motion to amend.

In addition, the City and the applicant also developed a clarification amendment to general note 15 from the PUD general notes. That clarification is offered as Motion to Amend No. 1 which is attached. The amendment clarifies that the developer of the NIC will be responsible for improvements and relocations within the NIC as well as road improvements in Salt Creek Roadway adjacent to the NIC. The revised general note 15 would read:

15. New improvements and the relocation of existing utilities and intersections, and road within the NIC will be at the developer's expense. In addition, costs associated with the traffic signals, intersection relocation and turn lane improvements adjacent to the NIC along the Salt Creek Roadway will be at the developer's expense.

We recommend that Motion to Amend No. 1 be approved by the City Council.

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