

Change of Zone 3310A

ORDINANCE NO. _____

1 AN ORDINANCE designating the Haymarket Park Sign District as an
 2 Overlay Special Sign District on property generally located at North 6th Street and
 3 Charleston Street, between I-180 and Sun Valley Boulevard, in accordance with the
 4 provisions of § 27.69.300 of the Lincoln Municipal Code and adopting special criteria for
 5 signs in said district.

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

7 Section 1. That the property generally located at North 6th Street and
 8 Charleston Street, between I-180 and Sun Valley Boulevard and legally described as:

9 A LEGAL DESCRIPTION FOR A TRACT OF LAND FOR SIGNAGE
 10 PURPOSES COMPOSED OF LOT 1, BLOCK 1, LOT 1 BLOCK 2, AND
 11 OUTLOTS "A" & "B", LINCOLN BALLPARK ADDITION, A PORTION OF
 12 "X" STREET RIGHT-OF-WAY, ALL OF LINE DRIVE RIGHT-OF-WAY,
 13 ALL OF LINE DRIVE CIRCLE RIGHT-OF-WAY, ALL OF NORTH 4TH
 14 STREET RIGHT-OF-WAY, ALL OF 6TH STREET RIGHT-OF-WAY, AND
 15 ALL OF CHARLESTON STREET RIGHT-OF-WAY WITHIN THE
 16 LINCOLN BALLPARK ADDITION, A PORTION OF THE BURLINGTON
 17 NORTHERN SANTA FEE RAILROAD RIGHT-OF-WAY, A PORTION OF
 18 LOTS 1 THRU 6, BLOCK 285, A PORTION OF LOTS 5 & 6, BLOCK 284,
 19 A PORTION OF LOTS 3 THRU 6, AND THE NORTH/SOUTH ALLEY,
 20 BLOCK 7, A PORTION OF LOTS 1 THRU 4, AND THE EAST/WEST
 21 ALLEY, BLOCK 8, ORIGINAL TOWN OF LINCOLN, A PORTION OF THE
 22 UN-NAMED RIGHT-OF-WAY NORTH OF BLOCKS 284, 285 AND 7, OF
 23 THE ORIGINAL TOWN OF LINCOLN, A PORTION OF 4TH STREET
 24 RIGHT-OF-WAY, A PORTION OF VACATED 8TH STREET
 25 RIGHT-OF-WAY, A PORTION OF VACATED "U" STREET
 26 RIGHT-OF-WAY, A PORTION OF VACATED "T" STREET
 27 RIGHT-OF-WAY, A PORTION OF THE NORTH SOUTH ALLEY
 28 ADJACENT TO BLOCK 13, NORTH LINCOLN ADDITION, A PORTION
 29 OF THE REMAINING PORTION OF LOT 49 I.T., AND A PORTION OF
 30 LOTS 1 THRU 7, C.J. HULLS SUBDIVISION, ALL LOCATED IN
 31 SECTION 23, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH

1 P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA AND
2 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

3 COMMENCING AT THE NORTHEAST CORNER OF THE NW4 OF SAID
4 SECTION 23; THENCE ON AN ASSUMED BEARING OF NORTH 88
5 DEGREES 50 MINUTES 35 SECONDS WEST, ALONG THE NORTH
6 LINE OF SAID NW4, A DISTANCE OF 491.59 FEET TO A POINT OF
7 INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF
8 INTERSTATE 180; THENCE SOUTH 00 DEGREES 38 MINUTES 07
9 SECONDS WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A
10 DISTANCE OF 29.43 FEET TO THE NORTHERLY CORNER OF
11 OUTLOT "A", LINCOLN BALLPARK ADDITION, SAID POINT ALSO
12 BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH 00
13 DEGREES 38 MINUTES 07 SECONDS WEST, ALONG THE EAST LINE
14 OF OUTLOT "A" AND THE EAST LINE OF LOT 1, BLOCK 1, OF SAID
15 LINCOLN BALLPARK ADDITION, SAID LINE ALSO BEING THE
16 WESTERLY RIGHT-OF-WAY LINE OF SAID INTERSTATE 180, A
17 DISTANCE OF 920.90 FEET TO A POINT OF INTERSECTION WITH
18 THE NORTH RIGHT-OF-WAY LINE OF CHARLESTON STREET, SAID
19 NORTH RIGHT-OF-WAY LINE BEING 50 FEET NORTH OF AND
20 PARALLEL WITH THE CENTERLINE OF CHARLESTON STREET IN
21 CAHN, METCALF AND FARWELL'S SUB EXTENDED WEST; THENCE
22 SOUTH 15 DEGREES 04 MINUTES 18 SECONDS WEST, A DISTANCE
23 OF 85.86 FEET TO A POINT; THENCE SOUTH 03 DEGREES 15
24 MINUTES 16 SECONDS EAST, ALONG THE EXTENSION OF THE
25 EAST RIGHT-OF-WAY LINE OF NORTH 6TH STREET, A DISTANCE OF
26 34.57 FEET TO A POINT OF CURVATURE; THENCE AROUND A
27 CURVE IN A COUNTER-CLOCKWISE DIRECTION, ALONG THE EAST
28 RIGHT-OF-WAY LINE OF NORTH 6TH STREET, HAVING A RADIUS OF
29 2420.00 FEET, AN ARC LENGTH OF 560.74 FEET, A DELTA ANGLE OF
30 13 DEGREES 16 MINUTES 34 SECONDS, A CHORD BEARING OF
31 SOUTH 09 DEGREES 53 MINUTES 33 SECONDS EAST, AND A
32 CHORD LENGTH OF 559.49 FEET TO A POINT; THENCE SOUTH 16
33 DEGREES 31 MINUTES 50 SECONDS EAST, ALONG THE EAST
34 RIGHT-OF-WAY LINE OF SAID NORTH 6TH STREET, A DISTANCE OF
35 16.29 FEET TO A POINT OF CURVATURE; THENCE AROUND A
36 CURVE IN A COUNTER-CLOCKWISE DIRECTION, ALONG THE EAST
37 RIGHT-OF-WAY LINE OF SAID NORTH 6TH STREET, HAVING A
38 RADIUS OF 2345.00 FEET, AN ARC LENGTH OF 22.96 FEET, A DELTA
39 ANGLE OF 00 DEGREES 33 MINUTES 40 SECONDS, A CHORD
40 BEARING OF SOUTH 16 DEGREES 48 MINUTES 40 SECONDS EAST
41 AND A CHORD LENGTH OF 22.96 FEET TO AN INTERSECTION WITH
42 THE NORTH RIGHT-OF-WAY LINE OF "X" STREET; THENCE SOUTH
43 89 DEGREES 23 MINUTES 23 SECONDS EAST, ALONG THE NORTH
44 RIGHT-OF-WAY LINE OF SAID "X" STREET, A DISTANCE OF 408.45

1 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID NW4;
2 THENCE SOUTH 00 DEGREES 13 MINUTES 40 SECONDS WEST,
3 ALONG THE EAST LINE OF SAID NW4, A DISTANCE OF 100.00 FEET
4 TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY OF SAID
5 "X" STREET; THENCE NORTH 89 DEGREES 23 MINUTES 23
6 SECONDS WEST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID
7 "X" STREET, A DISTANCE OF 374.70 FEET TO THE EAST
8 RIGHT-OF-WAY LINE OF NORTH 6TH STREET, AND A POINT OF
9 CURVATURE; THENCE AROUND A CURVE IN A
10 COUNTER-CLOCKWISE DIRECTION, ALONG THE EAST
11 RIGHT-OF-WAY LINE OF SAID NORTH 6TH STREET, HAVING A
12 RADIUS OF 2345.00 FEET, AN ARC LENGTH OF 299.42 FEET, A
13 DELTA ANGLE OF 07 DEGREES 18 MINUTES 57 SECONDS, A
14 CHORD BEARING OF SOUTH 23 DEGREES 20 MINUTES 02
15 SECONDS EAST, AND A CHORD LENGTH OF 299.22 FEET TO A
16 POINT; THENCE SOUTH 26 DEGREES 59 MINUTES 30 SECONDS
17 EAST, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID NORTH 6TH
18 STREET, A DISTANCE OF 524.79 FEET TO A POINT OF CURVATURE;
19 THENCE AROUND A CURVE IN A COUNTER-CLOCKWISE
20 DIRECTION, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID 6TH
21 STREET, HAVING A RADIUS OF 66.00 FEET, AN ARC LENGTH OF
22 24.63 FEET, A DELTA ANGLE OF 21 DEGREES 22 MINUTES 55
23 SECONDS, A CHORD BEARING OF SOUTH 37 DEGREES 40
24 MINUTES 58 SECONDS EAST AND A CHORD LENGTH OF 24.49 FEET
25 TO AN INTERSECTION WITH THE EAST LINE OF SAID NW4; THENCE
26 SOUTH 00 DEGREES 13 MINUTES 40 SECONDS WEST, ALONG THE
27 EAST LINE OF SAID NW4, A DISTANCE OF 69.08 FEET TO AN
28 EASTERLY CORNER OF LOT 1, BLOCK 2, OF SAID BALLPARK
29 ADDITION; THENCE SOUTH 55 DEGREES 19 MINUTES 30 SECONDS
30 WEST, ALONG THE SOUTHEASTERLY LINE OF SAID LOT 1, A
31 DISTANCE OF 47.08 FEET TO A POINT; THENCE SOUTH 28
32 DEGREES 48 MINUTES 03 SECONDS EAST, A DISTANCE OF 660.05
33 FEET TO A POINT; THENCE SOUTH 89 DEGREES 43 MINUTES 00
34 SECONDS EAST, A DISTANCE OF 31.93 FEET TO A POINT ON THE
35 EAST RIGHT-OF-WAY LINE OF 8TH STREET, SAID LINE ALSO BEING
36 THE WEST LINE OF LOT 1, CORNHUSKER SHADOWS 1ST ADDITION;
37 THENCE SOUTH 0 DEGREES 15 MINUTES 32 SECONDS WEST,
38 ALONG THE EAST RIGHT-OF-WAY LINE OF SAID 8TH STREET, A
39 DISTANCE OF 198.53 FEET TO A POINT; THENCE NORTH 89
40 DEGREES 43 MINUTES 00 SECONDS WEST, ALONG A LINE THAT IS
41 90.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF
42 BLOCK 8, ORIGINAL PLAT OF LINCOLN, A DISTANCE OF 150.00
43 FEET; THENCE NORTH 0 DEGREES 15 MINUTES 32 SECONDS EAST,
44 ALONG A LINE THAT IS 50.00 FEET WEST OF AND PARALLEL WITH
45 THE EXTENSION OF THE EAST LINE OF SAID BLOCK 8 AND THE

1 EAST LINE OF SAID BLOCK 8, A DISTANCE OF 205.08 FEET TO A
2 POINT; THENCE NORTH 28 DEGREES 48 MINUTES 03 SECONDS
3 WEST, A DISTANCE OF 586.64 FEET TO A POINT ON THE SOUTH
4 LINE OF SAID LOT 1, BLOCK 2; THENCE SOUTH 55 DEGREES 19
5 MINUTES 30 SECONDS WEST, ALONG THE SOUTHEASTERLY LINE
6 OF SAID LOT 1, A DISTANCE OF 41.46 FEET TO AN INTERSECTION
7 WITH THE SOUTH LINE OF SAID NW4; THENCE NORTH 88 DEGREES
8 46 MINUTES 57 SECONDS WEST, ALONG THE SOUTH LINE OF SAID
9 NW4, SAID LINE ALSO BEING THE SOUTH LINE OF SAID LOT 1, A
10 DISTANCE OF 584.83 FEET TO A POINT OF CURVATURE; THENCE
11 AROUND A CURVE IN A COUNTER-CLOCKWISE DIRECTION, ALONG
12 THE SOUTH LINE OF SAID LOT 1, HAVING A RADIUS OF 910.00
13 FEET, AN ARC LENGTH OF 63.19 FEET, A DELTA ANGLE OF 3
14 DEGREES 58 MINUTES 43 SECONDS, A CHORD BEARING OF
15 NORTH 70 DEGREES 19 MINUTES 34 SECONDS WEST AND A
16 CHORD LENGTH OF 63.18 FEET TO A POINT; THENCE NORTH 88
17 DEGREES 46 MINUTES 50 SECONDS WEST, A DISTANCE OF 394.99
18 FEET TO A POINT; THENCE SOUTH 13 DEGREES 04 MINUTES 15
19 SECONDS WEST, A DISTANCE OF 204.34 FEET TO A POINT;
20 THENCE NORTH 76 DEGREES 55 MINUTES 45 SECONDS WEST, A
21 DISTANCE OF 511.95 FEET TO A POINT; THENCE NORTH 14
22 DEGREES 28 MINUTES 12 SECONDS EAST, A DISTANCE OF 103.01
23 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 1, BLOCK 2 OF
24 LINCOLN BALLPARK ADDITION; THENCE AROUND A CURVE IN A
25 CLOCKWISE DIRECTION, ALONG THE SOUTH LINE OF SAID LOT 1
26 AND OUTLOT "B" OF SAID BALLPARK ADDITION, HAVING A RADIUS
27 OF 712.50 FEET, AN ARC LENGTH OF 68.76 FEET, A DELTA ANGLE
28 OF 5 DEGREES 31 MINUTES 46 SECONDS, A CHORD BEARING OF
29 NORTH 69 DEGREES 47 MINUTES 22 SECONDS WEST AND A
30 CHORD LENGTH OF 68.74 FEET TO A POINT; THENCE NORTH 67
31 DEGREES 01 MINUTES 36 SECONDS WEST, ALONG THE
32 SOUTHWESTERLY LINE OF SAID OUTLOT "B", A DISTANCE OF
33 704.99 FEET TO A POINT OF INTERSECTION WITH THE
34 SOUTHEASTERLY RIGHT-OF-WAY LINE OF SUN VALLEY
35 BOULEVARD; THENCE NORTH 27 DEGREES 01 MINUTES 25
36 SECONDS EAST, ALONG THE SOUTHEASTERLY RIGHT-OF-WAY
37 LINE OF SAID SUN VALLEY BOULEVARD, A DISTANCE OF 852.65
38 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A
39 CLOCKWISE DIRECTION, ALONG THE SOUTHEASTERLY
40 RIGHT-OF-WAY LINE OF SUN VALLEY BOULEVARD, HAVING A
41 RADIUS OF 5669.65 FEET, AN ARC LENGTH OF 1216.83 FEET, A
42 DELTA ANGLE OF 12 DEGREES 17 MINUTES 49 SECONDS, A
43 CHORD BEARING OF NORTH 33 DEGREES 15 MINUTES 17
44 SECONDS EAST, AND A CHORD LENGTH OF 1214.49 FEET TO A
45 POINT OF INTERSECTION WITH THE SOUTHWESTERLY LINE OF

1 THE REMAINING PART OF LOT 40; THENCE SOUTH 55 DEGREES 45
2 MINUTES 37 SECONDS EAST, ALONG THE SOUTHWESTERLY LINE
3 OF SAID REMAINING PART OF LOT 40, A DISTANCE OF 216.35 FEET
4 TO A POINT OF INTERSECTION WITH THE NORTHWESTERLY LINE
5 OF OUTLOT "A", LINCOLN BALLPARK ADDITION; THENCE NORTH 47
6 DEGREES 27 MINUTES 09 SECONDS EAST, ALONG THE
7 NORTHWESTERLY LINE OF SAID OUTLOT "A", A DISTANCE OF
8 968.49 FEET TO THE TRUE POINT OF BEGINNING; SAID TRACT
9 CONTAINS A CALCULATED AREA OF 82.03 ACRES OR 3,573,290.07
10 SQUARE FEET MORE OF LESS;

11 is hereby designated as a Special Sign District pursuant to § 27.69.300 of the Lincoln
12 Municipal Code, upon condition that the Special Sign District be in substantial
13 compliance with said petition, the site plan, and the following additional express terms,
14 conditions, and requirements:

15 a. The sign regulations contained in Exhibits 1, 2, and 3 attached
16 hereto are hereby adopted as the Special Sign Regulations to be applicable to the
17 Haymarket Park Sign District.

18 b. All property contained within the boundaries of the Special Sign
19 District is considered part of a single center for the purposes of the sign ordinance.

20 c. All proposed center signs shall be submitted to the Urban Design
21 Committee for its recommendations and then to the Planning Director for approval or
22 denial. The Planning Director shall approve the center sign if the director finds that the
23 proposed sign is in conformance with the general intent and spirit of the Special Sign
24 District as set forth in Exhibits 1, 2 and 3 attached hereto.

25 d. All off premise signs are prohibited, except within the ticketed
26 boundaries of the ballparks themselves and those off premise signs may not be visible
27 from any street.

1 e. No signs shall be allowed in that portion of the Haymarket Park
2 Subdistrict located east of the line located 150 feet west on the centerline of I-180 as
3 shown on Exhibit 3 which is attached hereto and incorporated herein by this reference.

4 f. In addition to the signs permitted in the I-1 zoning district, the signs
5 shown in Exhibits 1, 2 and 3 attached hereto shall also be permitted.

6 g. The Planning Director may approve a request for minor
7 adjustments to the height and area of wall signs upon first receiving a recommendation
8 and report from the Urban Design Committee as to whether the adjustment is in
9 conformance with the general intent and spirit of the Special Sign District.

10 h. Except as provided above all signs in the Special Sign District must
11 otherwise comply with all other applicable requirements of the I-1 Zoning District and
12 Chapters 22.05 and 27.69 of the Lincoln Municipal Code.

13 i. The terms, conditions, and requirements of this ordinance shall run
14 with the land and be binding upon the Owners of all Property within the boundaries of
15 the Special Sign District and their successors and assigns.

16 Section 2. That Ordinance No. 17830 approving the Haymarket Park Sign
17 District is hereby repealed.

18 Section 3. That this ordinance shall take effect and be in force from and after
19 its passage and publication in one issue of a daily or weekly newspaper of general
20 circulation in the City, according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2012:

Mayor