

Change of Zone 13009

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
6 Title 27 of the Lincoln Municipal Code be and they are hereby amended by changing the
7 boundaries of the districts established and shown on said Maps as follows:

8 That Lots 405 and 460 I.T., located in the Southwest Quarter of Section 32, Township 10
9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska, be and they are hereby
10 transferred from the R-2 Residential District to the O-3 Office Park District and hereby are (1) -
11 designated as a Planned Unit Development District pursuant to and in accordance with Chapter
12 27.60 of the Lincoln Municipal Code entitled "Planned Unit Development District"; and (2)
13 governed by all the provisions and regulations pertaining to the O-3 Office Park District except
14 as modified in Section 2 below.

15 Section 2. That the Campbell's PUD Plan ("Development Plan") submitted by
16 Campbell Farm and Land Co., Sandra L. Priefert, Trustee, Richard B. Campbell, Douglas B.
17 Campbell and Michael W. Campbell (collectively "Permittee") as set forth in the Permittee's
18 application and site plan, be and the same is hereby approved upon condition that operation of

1 the Planned Unit Development by Permittee be in substantial compliance with the Permittee's
2 application, the site plan and the following express terms and conditions:

3 1. This approval approves the use of approximately 7.87 acres of land
4 consisting of three lots with adjustments to setbacks for residential, office and commercial uses
5 as provided for in the Development Plan.

6 2. Before receiving building permits

7 a. The Permittee shall cause to be prepared and submitted to the
8 Planning Department five copies of a revised final site plan and Development Plan showing the
9 revisions listed below.

10 i. Modify Note #1 of the Development Plan by deleting the
11 first sentence, and adding "AND NEED NOT BE SHOWN
12 ON THE PLAN" at the end of the second sentence.

13 ii. Delete Note #2 of the Development Plan.

14 iii. Delete the word "WOULD" from the first sentence of the
15 first paragraph on page 2 of the Development Plan.

16 iv. Delete the words "IS A PERMITTED USE" from the list of
17 inclusions or increases, but add them to the sub-titles of
18 Agricultural Use Groups and Retail Sales and Services
19 Use Groups on page 2 of the Development Plan.

20 v. Modify 3 c) on page 2 of the Development Plan to allow
21 individual wind energy systems for individual buildings.

22 vi. Delete Note #13 and Modify Note #12 of the Development
23 Plan to add "OFF-PREMISES SIGNS ARE PROHIBITED
24 EXCEPT THAT FREESTANDING SIGNS WHICH SERVE
25 TO ADVERTISE BUSINESS CONDUCTED WITHIN THE
26 PUD BUT THAT ARE OFF THE PREMISES ON WHICH
27 THE FREESTANDING SIGN IS LOCATED ARE
28 PERMITTED WITH THE PUD. THIS PROVISION DOES
29 NOT ALLOW ANY ADDITIONAL SIGNS BEYOND THE
30 NUMBER ALLOWED IN THE O-3 DISTRICT, AND NO
31 CENTER SIGN IS ALLOWED."

32 vii. Revise the note to show the 20' perimeter setback is to
33 buildings and parking.

34 viii. Show the common access easement widened enough to
35 the satisfaction of the Director of the Planning Department
36

1 and the Director of Public Works to allow for a 4'-wide
2 sidewalk, tree planting area and driveway or private
3 roadway cross-sections consistent with Design Standards,
4 and add a note which states that trees shall be planted
5 along its extent within the common access easement or on
6 abutting private property subject to a public vegetation
7 easement; provided that, modifications may be made to
8 the Design Standards to accommodate the driveway or
9 private roadway alignment with intersection of Lake Street
10 and South 40th Street and the existing house (located on
11 Lot 406 SW, Section 32, Township 10, Range 7, 6th
12 Principal Meridian, Lincoln, Lancaster County, Nebraska)
13 until such house is removed.
14

15 ix. Make corrections noted by the L.E.S. review.

16 b. The construction plans comply with the approved plans.

17 c. Final plat(s) is/are approved by the City.

18 3. Before occupying the buildings all development and construction is to
19 comply with the approved plans.

20 4. All privately-owned improvements shall be permanently maintained by the
21 Permittee or an appropriately established owners association approved by the City Attorney.

22 5. The site plan and Development Plan accompanying this planned unit
23 development shall be the basis for all interpretations of setbacks, yards, locations of buildings,
24 location of parking and circulation elements, and similar matters.

25 6. The terms, conditions, and requirements of this Ordinance shall run with
26 the land and be binding upon the Permittee, its successors and assigns.

27 7. The Permittee shall sign and return the letter of acceptance to the City
28 Clerk. This step should be completed within 60 days following the approval of this PUD. The
29 City Clerk shall file a copy of this Ordinance and the letter of acceptance with the Register of
30 Deeds, filing fees therefore to be paid in advance by the Permittee. Building permits will not be
31 issued until the letter of acceptance has been filed of record.

1 8. The site plan and Development Plan as approved with this ordinance
2 voids and supersedes all previously approved site plans, however all the terms and conditions
3 of all prior resolutions approving prior special permits, including without limitation Special Permit
4 Nos. 71, 125, 217, 294 and 394, shall remain in force unless specifically amended by this
5 ordinance.

6 Section 2. Pursuant to Article VII, Section 7 of the City Charter, this ordinance shall
7 be posted on the official bulletin board of the City, located on the wall across from the City
8 Clerk's office at 555 S. 10th Street, in lieu of and in place of newspaper publication with notice
9 of passage and such posting to be given by publication one time in the official newspaper by the
10 City Clerk. This ordinance shall take effect and be in force from and after its passage and
11 publication as herein and in the City Charter provided.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2013:

Mayor