

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 TRACT OF LAND COMPOSED OF A PORTION OF OUTLOT "B",
9 VILLAGE MEADOWS 10TH ADDITION, ALL OF OUTLOT "C",
10 VILLAGE MEADOWS 10TH ADDITION, AND A PORTION OF LOT
11 90 I.T., ALL LOCATED IN THE SOUTHEAST QUARTER OF
12 SECTION 21, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH
13 P.M., LANCASTER COUNTY, NEBRASKA, AND MORE
14 PARTICULARLY DESCRIBED AS FOLLOWS:

15
16 COMMENCING AT THE SOUTHWEST CORNER OF THE
17 SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 9 NORTH,
18 RANGE 7 EAST OF THE 6TH P.M.; THENCE EASTERLY ON THE
19 SOUTH LINE OF SAID SOUTHEAST QUARTER, ON AN
20 ASSUMED BEARING OF N89°51'31"E, A DISTANCE OF 884.55'
21 TO A POINT; THENCE N00°08'29"W, A DISTANCE OF 50.00' TO
22 THE SOUTHWEST CORNER OF LOT 90 I.T., SAID POINT BEING
23 ON A NORTH RIGHT-OF-WAY LINE OF YANKEE HILL ROAD,
24 SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE
25 N00°08'30"W, ON A WEST LINE OF SAID LOT 90 I.T., SAID LINE
26 BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF
27 10.00' TO THE SOUTHEAST CORNER OF OUTLOT "B", VILLAGE
28 MEADOWS 9TH ADDITION; THENCE CONTINUING N00°08'30"W
29 ON SAID LINE, A DISTANCE OF 466.08' TO A WEST CORNER OF
30 SAID LOT 90 I.T.; THENCE N05°13'31"E, ON A WEST LINE OF
31 SAID LOT 90 I.T., A DISTANCE OF 264.92' TO A WEST CORNER
32 OF SAID LOT 90 I.T., SAID POINT BEING A POINT OF

1 CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER
2 CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF
3 $00^{\circ}22'10''$, A RADIUS OF 1,550.41', AN ARC LENGTH OF 10.00'
4 ON A NORTH LINE OF SAID LOT 90 I.T., A CHORD LENGTH OF
5 10.00', A TANGENT LENGTH OF 5.00', AND A CHORD BEARING
6 OF $N88^{\circ}16'15''E$ TO A WEST CORNER OF SAID LOT 90 I.T.;
7 THENCE $N01^{\circ}54'50''W$, ON A WEST LINE OF SAID LOT 90 I.T.,
8 AND ON A WEST LINE OF OUTLOT "C", VILLAGE MEADOWS 10TH
9 ADDITION, A DISTANCE OF 66.00' TO A WEST CORNER OF SAID
10 OUTLOT "C", SAID POINT BEING A POINT OF CURVATURE FOR
11 A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING
12 A CENTRAL ANGLE OF $00^{\circ}43'11''$, A RADIUS OF 1,484.41', AN
13 ARC LENGTH OF 18.65' ON A SOUTH LINE OF SAID OUTLOT "C",
14 A CHORD LENGTH OF 18.65', A TANGENT LENGTH OF 9.32',
15 AND A CHORD BEARING OF $S88^{\circ}26'46''W$ TO A WEST CORNER
16 OF SAID OUTLOT "C"; THENCE $N01^{\circ}11'46''W$, ON A WEST LINE
17 OF SAID OUTLOT "C", A DISTANCE OF 126.00' TO A SOUTH
18 CORNER OF SAID OUTLOT "C"; THENCE $N90^{\circ}00'00''W$, ON A
19 SOUTH LINE OF SAID OUTLOT "C", A DISTANCE OF 57.19' TO A
20 SOUTH CORNER OF SAID OUTLOT "C"; THENCE $N87^{\circ}15'53''W$,
21 ON A SOUTH LINE OF SAID OUTLOT "C", A DISTANCE OF 71.43'
22 TO A SOUTH CORNER OF SAID OUTLOT "C"; THENCE
23 $N75^{\circ}36'10''W$, ON A SOUTH LINE OF SAID OUTLOT "C", A
24 DISTANCE OF 77.79' TO A SOUTH CORNER OF SAID OUTLOT
25 "C", SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF
26 SOUTH 66TH STREET; THENCE $N14^{\circ}22'13''E$, ON A WEST LINE
27 OF SAID OUTLOT "C", SAID LINE BEING THE EAST LINE OF
28 SAID RIGHT-OF-WAY, A DISTANCE OF 10.00' TO A SOUTH
29 CORNER OF SAID OUTLOT "C"; THENCE $N75^{\circ}36'09''W$, ON A
30 SOUTH LINE OF SAID OUTLOT "C", SAID LINE BEING THE
31 NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00'
32 TO A SOUTH CORNER OF SAID OUTLOT "C"; THENCE
33 $S14^{\circ}24'17''W$, ON A EAST LINE OF SAID OUTLOT "C", SAID LINE
34 BEING THE WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE
35 OF 31.28' TO A SOUTH CORNER OF SAID OUTLOT "C"; THENCE
36 $N75^{\circ}36'13''W$, ON A SOUTH LINE OF SAID OUTLOT "C", A
37 DISTANCE OF 90.91' TO A SOUTH CORNER OF SAID OUTLOT
38 "C"; THENCE $N74^{\circ}48'32''W$, ON A SOUTH LINE OF SAID OUTLOT
39 "C", A DISTANCE OF 31.00' TO A SOUTHWEST CORNER OF
40 SAID OUTLOT "C"; THENCE $N15^{\circ}14'21''E$, ON A WEST LINE OF
41 SAID OUTLOT "C", A DISTANCE OF 129.58' TO A WEST CORNER
42 OF SAID OUTLOT "C"; THENCE $N08^{\circ}57'42''E$, ON A WEST LINE
43 OF SAID OUTLOT "C", A DISTANCE OF 56.53' TO A WEST
44 CORNER OF SAID OUTLOT "C"; THENCE $N02^{\circ}05'50''E$, ON A
45 WEST LINE OF SAID OUTLOT "C", A DISTANCE OF 41.85' TO A
46 WEST CORNER OF SAID OUTLOT "C"; THENCE $N16^{\circ}49'50''W$,
47 ON A WEST LINE OF SAID OUTLOT "C", A DISTANCE OF 53.50'
48 TO A WEST CORNER OF SAID OUTLOT "C"; THENCE
49 $N31^{\circ}34'34''W$, ON A WEST LINE OF SAID OUTLOT "C", A
50 DISTANCE OF 54.71' TO A SOUTH CORNER OF SAID OUTLOT
51 "C"; THENCE $N59^{\circ}57'04''W$, ON A SOUTH LINE OF SAID OUTLOT
52 "C", A DISTANCE OF 55.12' TO A SOUTH CORNER OF SAID

1 OUTLOT "C"; THENCE N74°16'24"W, ON A SOUTH LINE OF SAID
2 OUTLOT "C", A DISTANCE OF 174.98' TO A SOUTHWEST
3 CORNER OF SAID OUTLOT "C"; THENCE N15°50'42"E, ON A
4 WEST LINE OF SAID OUTLOT "C", A DISTANCE OF 120.36' TO A
5 WEST CORNER OF SAID OUTLOT "C", SAID POINT BEING ON
6 THE SOUTH RIGHT-OF-WAY LINE OF KELSEY LANE; THENCE
7 S74°09'18"E, ON A NORTH LINE OF SAID OUTLOT "C", SAID LINE
8 BEING THE SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE
9 OF 15.00' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE
10 N15°50'42"E, ON A WEST LINE OF SAID OUTLOT "C", SAID LINE
11 BEING THE EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE
12 OF 60.00' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE
13 N74°09'18"W, ON A SOUTH LINE OF SAID OUTLOT "C", SAID
14 LINE BEING THE NORTH LINE OF SAID RIGHT-OF-WAY, A
15 DISTANCE OF 25.32' TO A WEST CORNER OF SAID OUTLOT "C";
16 THENCE N15°50'42"E, ON A WEST LINE OF SAID OUTLOT "C",
17 A DISTANCE OF 240.09' TO A WEST CORNER OF SAID OUTLOT
18 "C", SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE
19 OF WHITE FISH DRIVE; THENCE S74°09'18"E, ON A NORTH
20 LINE OF SAID OUTLOT "C", SAID LINE BEING THE SOUTH LINE
21 OF SAID RIGHT-OF-WAY, A DISTANCE OF 15.00' TO A WEST
22 CORNER OF SAID OUTLOT "C"; THENCE N15°50'42"E, ON A
23 WEST LINE OF SAID OUTLOT "C", SAID LINE BEING THE EAST
24 LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00' TO A
25 WEST CORNER OF SAID OUTLOT "C"; THENCE N74°09'18"W,
26 ON A SOUTH LINE OF SAID OUTLOT "C", SAID LINE BEING THE
27 NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 24.29'
28 TO A WEST CORNER OF SAID OUTLOT "C"; THENCE
29 N15°50'42"E, ON A WEST LINE OF SAID OUTLOT "C", A
30 DISTANCE OF 119.60' TO A WEST CORNER OF SAID OUTLOT
31 "C"; THENCE N74°09'18"W, ON A SOUTH LINE OF SAID OUTLOT
32 "C", A DISTANCE OF 12.37' TO A WEST CORNER OD SAID
33 OUTLOT "C"; THENCE N15°50'42"E, ON A WEST LINE OF SAID
34 OUTLOT "C", A DISTANCE OF 120.00' TO A WEST CORNER OF
35 SAID OUTLOT "C", SAID POINT BEING ON THE SOUTH RIGHT-
36 OF-WAY LINE OF CAVY ROAD; THENCE S74°09'18"E, ON A
37 NORTH LINE OF SAID OUTLOT "C", SAID LINE BEING THE
38 SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 29.96'
39 TO A WEST CORNER OF SAID OUTLOT "C"; THENCE
40 N15°50'42"E, ON A WEST LINE OF SAID OUTLOT "C", SAID LINE
41 BEING THE EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE
42 OF 60.00' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE
43 N74°09'18"W, ON A SOUTH LINE OF SAID OUTLOT "C", SAID
44 LINE BEING THE NORTH LINE OF SAID RIGHT-OF-WAY, A
45 DISTANCE OF 15.00' TO A WEST CORNER OF SAID OUTLOT "C";
46 THENCE N15°50'42"E, ON A WEST LINE OF SAID OUTLOT "C",
47 A DISTANCE OF 115.30' TO A WEST CORNER OF SAID OUTLOT
48 "C"; THENCE S76°55'40"E, ON A NORTH LINE OF SAID OUTLOT
49 "C", A DISTANCE OF 97.17' TO A NORTH CORNER OF SAID
50 OUTLOT "C"; THENCE S78°45'02"E, ON A NORTH LINE OF SAID
51 OUTLOT "C", A DISTANCE OF 69.96' TO A SOUTH CORNER OF
52 SAID OUTLOT "C"; THENCE S89°20'25"E, ON A NORTH LINE OF

1 SAID OUTLOT "C", A DISTANCE OF 31.71' TO A WEST CORNER
2 OF SAID OUTLOT "C"; THENCE N00°01'56"E, ON A WEST LINE
3 OF SAID OUTLOT "C", A DISTANCE OF 142.78' TO THE
4 NORTHWEST CORNER OF SAID OUTLOT "C", SAID POINT
5 BEING ON THE SOUTH RIGHT-OF-WAY LINE OF MONARCH
6 DRIVE; THENCE S89°58'04"E, ON THE NORTH LINE OF SAID
7 OUTLOT "C", SAID LINE BEING THE SOUTH LINE OF SAID
8 RIGHT-OF-WAY, A DISTANCE OF 25.52' TO A SOUTHWEST
9 CORNER OF OUTLOT "B", VILLAGE MEADOWS 10TH ADDITION;
10 THENCE N00°01'56"E, ON A WEST LINE OF SAID OUTLOT "B",
11 SAID LINE BEING THE EAST LINE OF SAID RIGHT-OF-WAY, A
12 DISTANCE OF 60.00' TO A WEST CORNER OF SAID OUTLOT "B";
13 THENCE N89°58'04"W, ON A SOUTH LINE OF SAID OUTLOT "B",
14 SAID LINE BEING THE NORTH LINE OF SAID RIGHT-OF-WAY, A
15 DISTANCE OF 15.00' TO A WEST CORNER OF SAID OUTLOT "B";
16 THENCE N00°01'56"E, ON A WEST LINE OF SAID OUTLOT "B",
17 AND ON A NORTHERLY EXTENSION OF SAID LINE, A
18 DISTANCE OF 180.00' TO A POINT OF INTERSECTION WITH
19 THE NORTH LINE OF SAID OUTLOT "B", SAID POINT BEING ON
20 THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID
21 SECTION 21; THENCE S89°58'04"E, ON THE NORTH LINE OF
22 SAID OUTLOT "B", SAID LINE BEING THE NORTH LINE OF SAID
23 SOUTHEAST QUARTER, A DISTANCE OF 1,024.65' TO THE
24 NORTHEAST CORNER OF SAID OUTLOT "B", SAID POINT BEING
25 ON THE WEST RIGHT-OF-WAY LINE OF THE BURLINGTON
26 NORTHERN SANTA FE RAILROAD; THENCE S37°44'56"E, ON
27 THE EAST LINE OF SAID OUTLOT "B", AND ON A EAST LINE OF
28 LOT 90 I.T., SAID LINE BEING THE WEST LINE OF SAID RIGHT-
29 OF-WAY, A DISTANCE OF 394.63' TO A POINT; THENCE
30 S49°54'45"W, A DISTANCE OF 236.37' TO A POINT; THENCE
31 S40°05'15"E, A DISTANCE OF 10.00' TO A POINT; THENCE
32 S49°54'45"W, A DISTANCE OF 60.00' TO A POINT; THENCE
33 N40°05'15"W, A DISTANCE OF 12.84' TO A POINT; THENCE
34 S49°54'45"W, A DISTANCE OF 260.00' TO A POINT; THENCE
35 S40°05'15"E, A DISTANCE OF 10.00' TO A POINT; THENCE
36 S49°54'45"W, A DISTANCE OF 60.00' TO A POINT; THENCE
37 N40°05'15"W, A DISTANCE OF 115.23' TO A POINT OF
38 CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE
39 DIRECTION HAVING A CENTRAL ANGLE OF 21°38'06", A
40 RADIUS OF 170.00', AN ARC LENGTH OF 64.19', A CHORD
41 LENGTH OF 63.81', A TANGENT LENGTH OF 32.48', AND A
42 CHORD BEARING OF N50°54'18"W, TO A POINT LOCATED 20.00'
43 EAST OF A WEST LINE OF SAID LOT 90 I.T.; THENCE
44 S06°00'00"W, ON A LINE 20.00' EAST OF AND PARALLEL WITH
45 A WEST LINE OF SAID LOT 90 I.T., A DISTANCE OF 670.17' TO
46 A POINT; THENCE S00°32'51"E, ON A LINE 20.00' EAST OF AND
47 PARALLEL WITH A WEST LINE OF SAID LOT 90 I.T., A
48 DISTANCE OF 53.49' TO A POINT; THENCE S10°37'57"E, ON A
49 LINE 20.00' EAST OF AND PARALLEL WITH A WEST LINE OF
50 SAID LOT 90 I.T., A DISTANCE OF 59.44' TO A POINT; THENCE
51 S14°46'34"E, ON A LINE 20.00' EAST OF AND PARALLEL WITH
52 A WEST LINE OF SAID LOT 90 I.T., A DISTANCE OF 313.80' TO

1 A POINT; THENCE S21°22'44"E, ON A LINE OF 20.00' EAST OF
2 AND PARALLEL WITH A WEST LINE OF SAID LOT 90 I.T., A
3 DISTANCE OF 64.72' TO A POINT LOCATED 30.00' SOUTH OF A
4 NORTH LINE OF SAID LOT 90 I.T., SAID POINT BEING A POINT
5 OF CURVATURE FOR A NON-TANGENT CURVE IN A
6 CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF
7 11°04'25", A RADIUS OF 1,544.41', AN ARC LENGTH OF 298.49'
8 ON A LINE 30.00' SOUTH OF AND PARALLEL WITH A NORTH
9 LINE OF SAID LOT 90 I.T., A CHORD LENGTH OF 298.02', A
10 TANGENT LENGTH OF 149.71', AND A CHORD BEARING OF
11 S73°24'57"W TO A POINT; THENCE S05°13'31"W, ON A LINE
12 250.00' EAST OF AND PARALLEL WITH A WEST LINE OF SAID
13 LOT 90 I.T., A DISTANCE OF 310.26' TO A POINT; THENCE
14 S00°08'30"E, ON A LINE 250.00' EAST OF AND PARALLEL WITH
15 A WEST LINE OF SAID LOT 90 I.T., A DISTANCE OF 464.37' TO
16 A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID
17 LOT 90 I.T., SAID POINT BEING ON THE NORTH RIGHT-OF-WAY
18 LINE OF YANKEE HILL ROAD, SAID POINT ALSO BEING 50.00'
19 NORTH OF THE SOUTH LINE OF THE SOUTHEAST QUARTER
20 OF SAID SECTION 21; THENCE S89°51'31"W, ON THE SOUTH
21 LINE OF SAID LOT 90 I.T., SAID LINE BEING THE NORTH LINE
22 OF SAID RIGHT-OF-WAY, SAID LINE ALSO BEING 50.00' NORTH
23 OF AND PARALLEL WITH THE SOUTH LINE OF SAID
24 SOUTHEAST QUARTER, A DISTANCE OF 250.00' TO THE POINT
25 OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA
26 1,992,162.21 SQUARE FEET OR 45.73 ACRES, MORE OR LESS;

27 be and they hereby are (1) transferred from the AG Agricultural District to the R-3 Residential
28 District and are hereby made a part of the R-3 Residential District; (2) designated as a Planned Unit
29 Development District pursuant to and in accordance with Chapter 27.60 of the Lincoln Municipal
30 Code entitled "Planned Unit Development District"; and (3) governed by all the provisions and
31 regulations pertaining to the R-3 Residential District except as modified in Section 2 below.

32 Section 2. That the Village Gardens Planned Unit Development Plan ("Development
33 Plan") submitted by Village Meadows, LLC and 1640, LLC (collectively "Permittee") along with the
34 Permittee's application and site plan, be and the same is hereby approved upon condition that the
35 use and operation of the property within the Planned Unit Development District under the
36 Development Plan by Permittee be in substantial compliance with the Permittee's application, the
37 site plan, and the following express terms and conditions:

- 38 1. The City Council approves associated request AN #15006.

- 1 2. Before receiving building permits or before a final plat is approved the Permittee shall
2 cause to be prepared and submitted to the Planning Department a revised and reproducible final
3 plot plan including 4 copies with all required revisions and documents as listed below.
- 4 a. Update the plan to include the information resulting from the approval of CZ
5 #04075E and subsequent administrative amendment AA #14054.
- 6 b. Revise the lot layout for Blocks 22 and 23 to show a building envelope for
7 Lots 12-19 so no portion of the buildable area is shown within 200 feet of the
8 gas line.
- 9 c. Label the roadways in Blocks 22 and 23 as private roadways.
- 10 d. Propose substitute street names as Village Court and Village Lane are
11 already in use.
- 12 e. Provide a dimension from the Yankee Hill Road right-of-way to the 200 PPA.
- 13 f. Label the area east of Block 22 as 'Future Apartment or Commercial Area'.
- 14 g. Renumber blocks to include Blocks 21 and 24.
- 15 h. Show pedestrian sidewalks in Block 11 to the satisfaction of the Planning
16 Department.
- 17 i. Revise the grading and drainage plans to the satisfaction of Public Works
18 and Utilities. Grading plan also needs to demonstrate that all pedestrian
19 connection sidewalks comply with ADA requirements.
- 20 3. Prior to the issuance of a building permit the construction plans must substantially
21 comply with the approved plans.
- 22 4. Before issuance of building permits, final plat(s) shall be approved by the City.
- 23 5. Final plans for CZ #04075F must be submitted and approved by the City.
- 24 6. Before occupying the buildings all development and construction must substantially
25 comply with the approved plans.
- 26 7. All privately-owned improvements shall be permanently maintained by the Permittee
27 or an appropriately established association approved by the City Attorney.
- 28 8. The physical location of all setbacks and yards, buildings, parking and circulation
29 elements, and similar matters must be in substantial compliance with the location of said items as
30 shown on the approved site plan.

1 9. The terms, conditions, and requirements of the ordinance shall run with the land and
2 be binding upon the Permittee, its successors, and assigns.

3 10. The Permittee shall sign and return the letter of acceptance to the City Clerk. This
4 step should be completed within 60 days following the approval of the Ordinance. The City Clerk
5 shall file a copy of this Ordinance and the letter of acceptance with the Register of Deeds, filing fees
6 therefore to be paid in advance by the Permittee. Building permits will not be issued unless the
7 letter of acceptance has been filed.

8 11. The site plan and development plan as approved with this Ordinance voids and
9 supersedes all previously approved site plans, however all Ordinances approving previous
10 development plans remain in full force and effect except as specifically amended by this Ordinance.

11 Section 3. Pursuant to Article VII, Section 7 of the City Charter, this ordinance shall be
12 posted on the official bulletin board of the City, located on the wall across from the City Clerk's
13 office at 555 S. 10th Street, in lieu of and in place of newspaper publication with notice of passage
14 and such posting to be given by publication one time in the official newspaper by the City Clerk.
15 This ordinance shall take effect and be in force from and after its passage and publication as herein
16 and in the City Charter provided.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2015: _____ Mayor
