

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 LOT 40
9 I.T., LOCATED IN THE SOUTHWEST QUARTER OF SECTION
10 18, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M.,
11 LANCASTER COUNTY, NEBRASKA, AND MORE
12 PARTICULARLY DESCRIBED AS FOLLOWS:

13 COMMENCING AT THE SOUTHEAST CORNER OF THE
14 SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 10
15 NORTH, RANGE 6 EAST OF THE 6TH P.M.; THENCE
16 WESTERLY ON THE SOUTH LINE OF SAID SOUTHWEST
17 QUARTER ON AN ASSUMED BEARING OF N89°54'57"W, A
18 DISTANCE OF 107.20' TO THE SOUTHEAST CORNER OF LOT
19 40 I.T., SAID POINT BEING ON THE WEST RIGHT-OF-WAY
20 LINE OF NORTHWEST 48TH STREET; THENCE N00°23'06"E,
21 ON A EAST LINE OF SAID LOT 40 I.T., SAID LINE BEING A
22 WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 33.00'
23 **TO THE TRUE POINT OF BEGINNING**; THENCE N89°54'57"W,
24 ON A LINE LOCATED 33.00' NORTH OF AND PARALLEL WITH
25 THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A
26 DISTANCE OF 503.16' TO A POINT OF INTERSECTION WITH
27 THE SOUTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY
28 OF NORTHWEST 50TH STREET; THENCE N00°14'27"E, ON
29 THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID

1 RIGHT-OF-WAY, AND ON THE EAST LINE OF SAID RIGHT-OF-
2 WAY, A DISTANCE OF 701.20' TO A NORTH CORNER OF SAID
3 LOT 40 I.T., SAID POINT BEING THE SOUTHWEST CORNER
4 OF OUTLOT "B", VILLAGE WEST ADDITION; THENCE
5 S89°54'57"E, ON A NORTH LINE OF SAID LOT 40 I.T., SAID
6 LINE BEING THE SOUTH LINE OF SAID OUTLOT "B", A
7 DISTANCE OF 506.04' TO THE NORTHEAST CORNER OF
8 SAID LOT 40 I.T., SAID POINT BEING ON A WEST RIGHT-OF-
9 WAY LINE OF NORTHWEST 48TH STREET, SAID POINT BEING
10 104.25' WEST OF THE EAST LINE OF SAID SOUTHWEST
11 QUARTER; THENCE S00°51'57"W, ON A EAST LINE OF SAID
12 LOT 40 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-
13 OF-WAY, A DISTANCE OF 133.17' TO AN EAST CORNER OF
14 SAID LOT 40 I.T., SAID POINT BEING 105.70' WEST OF THE
15 EAST LINE OF SAID SOUTHWEST QUARTER: THENCE
16 S00°23'06"W, ON A EAST LINE OF SAID LOT 40 I.T., SAID LINE
17 BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE
18 OF 568.05' TO THE POINT OF BEGINNING, SAID TRACT
19 CONTAINS A CALCULATED AREA 353,508.57 SQUARE FEET
20 OR 8.12 ACRES, MORE OR LESS;

21 (1) be and it hereby is transferred from the AG Agricultural District to the R-3 Residential
22 District; (2) designated as a Planned Unit Development District pursuant to and in accordance
23 with Chapter 27.60 of the Lincoln Municipal Code entitled "Planned Unit Development District";
24 and (3) governed by all the provisions and regulations pertaining to the R-3 Residential District
25 except as modified in Section 3 below.

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

29 A TRACT OF LAND COMPOSED OF A PORTION OF LOT 70
30 I.T., LOCATED IN THE NORTHWEST QUARTER OF SECTION
31 19, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M.,
32 LANCASTER COUNTY, NEBRASKA, AND MORE
33 PARTICULARLY DESCRIBED AS FOLLOWS:

34 COMMENCING AT THE NORTHEAST CORNER OF THE
35 NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 10
36 NORTH, RANGE 6 EAST OF THE 6TH P.M.; THENCE
37 WESTERLY ON THE NORTH LINE OF SAID NORTHWEST
38 QUARTER, SAID LINE BEING THE NORTH LINE OF LOT 67
39 I.T., ON AN ASSUMED BEARING OF N89°54'57"W, A
40 DISTANCE OF 252.24' TO THE NORTHEAST CORNER OF LOT
41 70 I.T.; SAID POINT BEING THE NORTHWEST CORNER OF
42 SAID LOT 67 I.T., SAID POINT ALSO BEING **THE TRUE POINT**
43 **OF BEGINNING**; THENCE S00°25'49"W, ON A EAST LINE OF

1 SAID LOT 70 I.T., SAID LINE BEING THE WEST LINE OF SAID
2 LOT 67 I.T., A DISTANCE OF 283.00' TO AN EAST CORNER OF
3 SAID LOT 70 I.T., SAID POINT BEING THE SOUTHWEST
4 CORNER OF SAID LOT 67 I.T.; THENCE S89°54'57"E, ON A
5 NORTH LINE OF SAID LOT 70 I.T., SAID LINE BEING THE
6 SOUTH LINE OF SAID LOT 67 I.T., A DISTANCE OF 148.09' TO
7 AN EAST CORNER OF SAID LOT 70 I.T., SAID POINT BEING
8 THE SOUTHEAST CORNER OF SAID LOT 67 I.T., SAID POINT
9 ALSO BEING ON A WEST RIGHT-OF-WAY LINE OF
10 NORTHWEST 48TH STREET; THENCE S13°35'19"E, ON A EAST
11 LINE OF SAID LOT 70 I.T., SAID LINE BEING A WEST LINE OF
12 SAID RIGHT-OF-WAY, A DISTANCE OF 6.44' TO AN EAST
13 CORNER OF SAID LOT 70 I.T.; THENCE S00°30'12"W, ON A
14 EAST LINE OF SAID LOT 70 I.T., SAID LINE BEING A WEST
15 LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 295.96' TO A
16 POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A
17 CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF
18 06°45'16", A RADIUS OF 270.00', AN ARC LENGTH OF 31.83'
19 ON A EAST LINE OF SAID LOT 70 I.T., SAID LINE BEING A
20 WEST LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF
21 31.81', A TANGENT LENGTH OF 15.93', AND A CHORD
22 BEARING OF S07°29'13"W TO A POINT OF CURVATURE FOR
23 A NON-TANGENT CURVE IN A COUNTER CLOCKWISE
24 DIRECTION HAVING A CENTRAL ANGLE OF 10°28'31", A
25 RADIUS OF 330.00', AN ARC LENGTH OF 60.33' ON A EAST
26 LINE OF SAID LOT 70 I.T., SAID LINE BEING A WEST LINE OF
27 SAID RIGHT-OF-WAY, A CHORD LENGTH OF 60.25', A
28 TANGENT LENGTH OF 30.25', AND A CHORD BEARING OF
29 S05°37'41"W TO A POINT; THENCE S00°23'25"W, ON A EAST
30 LINE OF SAID LOT 70 I.T., SAID LINE BEING A WEST LINE OF
31 SAID RIGHT-OF-WAY, A DISTANCE OF 306.11' TO AN EAST
32 CORNER OF SAID LOT 70 I.T.; THENCE N89°36'35"W, ON A
33 SOUTH LINE OF SAID LOT 70 I.T., SAID LINE BEING A NORTH
34 LINE OF SAID RIGHT-OF-WAY, DISTANCE OF 8.00' TO AN
35 EAST CORNER OF SAID LOT 70 I.T.; THENCE S00°23'25"W,
36 ON A EAST LINE OF SAID LOT 70 I.T., SAID LINE BEING A
37 WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 24.89'
38 TO AN EAST CORNER OF SAID LOT 70 I.T.; THENCE
39 N89°37'51"W, A DISTANCE OF 629.26' TO A POINT; THENCE
40 N00°05'03"E, A DISTANCE OF 201.05' TO A POINT OF
41 CURVATURE FOR A CURVE IN A CLOCKWISE DIRECTION
42 HAVING A CENTRAL ANGLE OF 26°04'22", A RADIUS OF
43 967.00', AN ARC LENGTH OF 440.04', A CHORD LENGTH OF
44 436.25', A TANGENT LENGTH OF 223.90', AND A CHORD
45 BEARING OF N13°07'14"E TO A POINT OF REVERSE
46 CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE
47 DIRECTION HAVING A CENTRAL ANGLE OF 26°04'22", A
48 RADIUS OF 416.50', AN ARC LENGTH OF 189.53', A CHORD
49 LENGTH OF 187.90', A TANGENT LENGTH OF 96.44', AND A
50 CHORD BEARING OF N13°07'14"E TO A POINT; THENCE
51 N00°05'03"E, A DISTANCE OF 195.42' TO A POINT OF
52 INTERSECTION WITH THE NORTH LINE OF SAID
53 NORTHWEST QUARTER; THENCE S89°54'57"E, ON THE

1 NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE
2 OF 362.42' TO THE POINT OF BEGINNING, SAID TRACT
3 CONTAINS A CALCULATED AREA 543,078.46 SQUARE FEET
4 OR 12.47 ACRES, MORE OR LESS;

5 (1) be and it hereby is transferred from the AG Agricultural District to the H-3 Highway
6 Commercial District; (2) designated as a Planned Unit Development District pursuant to and in
7 accordance with Chapter 27.60 of the Lincoln Municipal Code entitled "Planned Unit
8 Development District"; and (3) governed by all the provisions and regulations pertaining to the
9 H-3 Highway Commercial District except as modified in Section 3 below.

10 Section 3. That the I-80 West Lincoln Business Center Planned Unit Development
11 Plan ("Development Plan") submitted by Ringneck Development, LLC ("Permittee") along with
12 the Permittee's application and site plan, be and the same is hereby approved upon condition
13 that the use and operation of the property within the Planned Unit Development District under
14 the Development Plan by Permittee be in substantial compliance with the Permittee's
15 application, the site plan, and the following express terms and conditions:

16 1. This approval permits a Change of Zone from AG to R-3 PUD over approximately
17 8.12 acres and a Change of Zone from AG to H-3 PUD over approximately 12.19 acres.

18 2. The City Council approves associated request: Annexation No. 17023.

19 3. Before a final plat is approved, the Permittee shall cause to be prepared and
20 submitted to the Planning Department a revised and reproducible final plot plan including **3**
21 copies with all required revisions and documents as listed below.

22 a. Add a note on the PUD Site Plan that states, "Right-of-way and
23 easements on W. Holdrege Street, N.W. 48th Street, and N.W. 56th Street
24 shall be dedicated at no cost when requested by the City for
25 improvements to said streets."

26 b. Revise the PUD Site Plan and Development Plan to change the
27 designation of the area south of W. Holdrege Street from I-3 PUD to H-3
28 PUD and reflect the future Residential and Commercial land uses shown
29 on the Future Land Use Map.

30 4. Before receiving building permits:

- 1 a. The Permittee shall provide verification from the Register of Deeds that
2 the letter of acceptance of the planned unit development has been
3 recorded with the Register of Deeds.
- 4 b. The Permittee shall provide verification that an avigation and noise
5 easement to the Lincoln Airport Authority on all or that part of the land
6 located within the Airport Environs Noise District has been received by
7 the Lincoln Airport Authority.

8 5. Before occupying the dwelling units/buildings, all development and construction
9 shall substantially comply with the approved plans.

10 6. All privately-owned improvements shall be permanently maintained by the
11 Permittee or an appropriately established owners association approved by the City Attorney.

12 7. The physical location of all setbacks and yards, buildings, parking and circulation
13 elements, and similar matters must be in substantial compliance with the location of said items
14 as shown on the approved site plan.

15 8. The terms, conditions, and requirements of the ordinance shall run with the land
16 and be binding upon the permittee, its successors, and assigns.

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

22 10. The site plan as approved with this ordinance voids and supersedes all
23 previously approved site plans, however all ordinances approving previous permits remain in full
24 force and effect unless specifically amended by this ordinance.

25 Section 4. This ordinance shall be published, within fifteen days after the passage
26 hereof, in one issue of a daily or weekly newspaper of general circulation in the City, or posted
27 on the official bulletin board of the City, located on the wall across from the City Clerk's office at
28 555 S. 10th Street, in lieu and in place of the foregoing newspaper publication with notice of
29 passage and such posting to be given by publication one time in the official newspaper by the

1 City Clerk. This ordinance shall take effect and be in force from and after its passage and
2 publication or after its posting and notice of such posting given by publication as herein and in
3 the City Charter provided.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2017:

Mayor