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14-55

Introduce: 5-19-14

Change of Zone 14008

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 the existing I-1 Industrial District zoned property legally described as Lots 111, 140,  
9 141, 152, 153 and 154 I.T., and adjacent vacated 4th Street, Speedway Circle and Hill Street,  
10 located in the Southwest Quarter of Section 35, Township 10 North, Range 6 East of the 6th  
11 P.M., Lincoln Lancaster County, Nebraska, be and they hereby are (1) designated as a Planned  
12 Unit Development District pursuant to and in accordance with Chapter 27.60 of the Lincoln  
13 Municipal Code entitled "Planned Unit Development District"; and (2) governed by all the  
14 provisions and regulations pertaining to the I-1 Industrial District except as modified in Section 2  
15 below.

16 Section 2. That the Speedway Sporting Village Planned Unit Development Plan  
17 ("Development Plan") submitted by B & J Partnership ("Permittee") along with the Permittee's  
18 application and site plan, be and the same is hereby approved upon condition that the use and

1 operation of the property within the Planned Unit Development District under the Development  
2 Plan by Permittee be in substantial compliance with the Permittee's application, the site plan  
3 and the following express terms and conditions:

4 1. This Ordinance permits a mixed use development consisting of an indoor  
5 recreational facility; outdoor recreational facility with future shops and retail uses;  
6 permits the sale of alcohol for consumption on the premises as a permitted use, and  
7 approves the following waivers to City of Lincoln Design Standards and the Land  
8 Subdivision Ordinance.

9 a. Chapter 3.5, Section 7.1 Design Standards - Waive parking lot  
10 screening.

11 b. Chapter 3.45, Section 3.5 - Waive parking lot paving for non  
12 required parking stalls.

13 c. Section 26.27.010 - Waive the requirement for curb and gutter  
14 adjacent to Outlot B.

15 d. Section 26.27.020 - Allow sidewalks along one side of the private  
16 roadway.

17 e. Section 26.23.105 - Waive on-site detention.

18 f. Section 27.69.030(m) - Allow an increase in the size of directional  
19 signs to 24 square feet.

20 2. Before a final plat is approved the Permittee shall cause to be prepared  
21 and submitted to the Planning Department a revised and reproducible final plot plan  
22 including **5** copies with all required revisions and documents as listed below.

23 a. Show parking lot trees on the landscape plan.

24 b. Eliminate the Land Use Table and \*\* Note underneath the table.

25 c. Eliminate General Notes 6, 13, and 17.

26 d. Revise General Note # 19 to state "*Parking on Lots 1 - 6 shall be*  
27 *calculated as 1 stall per 300 square feet of floor area, regardless of*

1 use. (No additional parking is required for the sale of alcoholic  
2 beverages for consumption on the premises.) Outdoor recreational  
3 facilities shall provide 60 stalls per field. The parking for Lots 1 - 6  
4 and the outdoor recreational facilities is then reduced by 50% due  
5 to the operating characteristics of the recreational facility as a  
6 whole. Parking on Parcel 1 shall be per Chapter 27.67.”

- 7 d. Add to General Note #22 “The owner or operator shall prohibit the  
8 use, storage, or manufacture of chemicals listed in 40 CFR Part 68,  
9 Section 130 in quantities that exceed the threshold values specified  
10 in Table 1. If 40 CFR Part 68, Section 130 is amended and  
11 additional chemical(s) are added to the list, the Lincoln-Lancaster  
12 County Health Department will establish a modified threshold  
13 quantity for the new chemical(s). In addition, the owner or operator  
14 shall prohibit the use, storage, or manufacturer of explosives as  
15 defined by LMC 19.03 Fire Code.”
- 16 e. Add general note to site plan that NRD/COE approval is needed  
17 prior to any grading in 500' buffer area or culvert work in levee.
- 18 f. Add minimum floor elevation table (at least 1' above maximum  
19 Base Flood Elevation) on site plan.
- 20 g. Revise General Note #12 to correct the 0.05 reference.
- 21 h. Provide cross-sections within storage area #2. For labeling use the  
22 lettered cross sections and have distance in feet.
- 23 i. Provide a table in Summary Report on Floodplain Management  
24 that gives total available volume in ac ft, volume in ac ft of proposed  
25 fill, % of fill, % of allowable fill.
- 26 j. Show setbacks and or building envelopes on the site plan.
- 27 k. Show pedestrian connections to Lots 4, 5 and 6 from all four  
28 directions.
- 29 l. Remove square footages and land use labels on lots.
- 30 m. Label lot 1 as commercial.
- 31 n. Show pedestrian connection to the Jamaica North Trail from  
32 Speedway Circle.
- 33 o. Add to Note #21 that directional signs identifying the fields and their  
34 sponsors are permitted to be up to 24 square feet in area.  
35

1 p. Add to Note #21, "Signs need not be shown on this site plan, but  
2 need to be in compliance with chapter 27.69 of the Lincoln Zoning  
3 Ordinance, and must be approved by Building & Safety Department  
4 prior to installation". Dimension some of the driveway lengths,  
5 including the shortest driveways.

6 3. Before occupying the buildings all development and construction shall  
7 substantially comply with the approved plans.

8 4. All privately-owned improvements shall be permanently maintained by the  
9 owner or an appropriately established homeowners association approved by the City  
10 Attorney.

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

14 6. The terms, conditions, and requirements of the ordinance shall run with  
15 the land and be binding upon the Permittee, its successors and assigns.

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

22 Section 3. Pursuant to Article VII, Section 7 of the City Charter, this ordinance shall  
23 be posted on the official bulletin board of the City, located on the wall across from the City  
24 Clerk's office at 555 S. 10th Street, in lieu of and in place of newspaper publication with notice  
25 of 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 as herein and in the City Charter provided.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_ day of \_\_\_\_\_, 2014

\_\_\_\_\_  
Mayor