

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 Lot 66, Irregular Tract, located in the Northwest Quarter of Section
9 27, Township 10 North, Range 7 East of the 6th P.M., and the
10 adjacent right-of-way of South 70th Street, Lincoln, Lancaster County,
11 Nebraska; (1) be and it is hereby transferred from the P Public Use
12 District to the B-2 Planned Neighborhood Business District PUD, O-3
13 Office Park District PUD, and R-4 Residential District PUD; (2)
14 designated as a Planned Unit Development District pursuant to and
15 in accordance with Chapter 27.60 of the Lincoln Municipal Code
16 entitled "Planned Unit Development District"; and (3) governed by all
17 the provisions and regulations pertaining to the B-2 Planned
18 Neighborhood Business District PUD, O-3 Office Park District PUD,
19 and R-4 Residential District PUD except as modified in Section 2
20 below.

21 Section 2. That the Victory Park Planned Unit Development Plan ("Development Plan")
22 submitted by U.S. Department of Veteran Affairs ("Permittee") along with the Permittee's application
23 and site plan, be and the same is hereby approved upon condition that the use and operation of
24 the property within the Planned Unit Development District under the Development Plan by Permittee

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

3 1. This Ordinance accepts the conceptual site plan including areas designated as O-3
4 PUD, B-2 PUD, and R-4 PUD, and permits commercial uses and 600 dwelling units, and approves
5 the following waivers to Sections 26.15.020, 26.23.125, 26.23.130, 27.72.020, and 27.72.030 of
6 the Land Subdivision Ordinance, Zoning Ordinance, and Design Standards to allow future
7 submission as administrative amendments to the PUD, to waive the requirement to provide a
8 pedestrian easement for a block length exceeding 1,000 feet, to allow a block length to exceed
9 1,320 feet, to allow height limitations of buildings to increase from 35 feet to 45 feet, and to accept
10 the existing roadways as private roadways.

11 2. Before receiving building permits or before a final plat is approved, the Permittee
12 shall cause to be prepared and submitted to the Planning Department a revised and reproducible
13 final plot plan including 5 copies with all required revisions and documents as listed below.

- 14 a. Revise and submit grading and drainage plan to Public Works and Utilities
15 Department.
- 16 b. Add a note that the street in Outlot A, when reconstructed, shall be built as
17 a public street by Executive Order to the satisfaction of Public Works and
18 Utilities Department.
- 19 c. Add a note that a perimeter landscape plan shall be submitted for approval
20 of the Planning Director, prior to construction of roadways or sidewalks.
- 21 d. Add to the General Notes, "All lot lines are conceptual and final plats may
22 show different lot widths".
- 23 e. Identify the two existing center signs on the site plan and add to the General
24 Notes, "Other than center signs, signs need not be shown on this site plan,
25 but need to be in compliance with Chapter 27.69 of the Lincoln Zoning
26 Ordinance, and must be approved by Building & Safety Department prior to
27 installation".
- 28 f. Substitute alternative street names acceptable to Planning Department for
29 Veterans Drive and Victory Drive, as those names are already in use.
- 30 g. Delete height waivers covered in PUD Notes from Sheet 1 of 8.

- 1 h. Delete floor area and use notes from Lot 1 on Sheet 2 of 8.
- 2 i. Identify front yards and other setbacks on all lots on Sheet 1 of 8, as called
3 for in PUD Notes.
- 4 j. On Land Use Chart, delete the entire first row of building titles to avoid
5 confusion with approved land uses. In Column 9, delete the B-2 “dot” on this
6 property. Define the “dot” in the Land Use Table.
- 7 k. On the Land Use Chart, add a row for “Multiple Family” and indicate “P” for
8 permitted use by right for Lots 10 to 13.
- 9 l. Revise the Lot 10 Site Specific Plan (VASH housing site) to show sufficient
10 space for street trees on the south side of the private roadway between the
11 parking and the building.
- 12 m. Remove the listed waivers (since they are covered elsewhere in the PUD)
13 from Sheet 3 of 8.
- 14 n. Clarify parking notes 3c and 3e on joint parking to the satisfaction of the
15 Planning Department.
- 16 o. Clarify note 4e to state, “Two center signs are identified on the site plan. All
17 other signage shall conform to Section 27.69.340 of the Lincoln Municipal
18 Code.”
- 19 3. Before receiving building permits, the Permittee shall provide verification from the
20 Register of Deeds that the letter of acceptance of the planned unit development has been recorded
21 with the Register of Deeds.
- 22 4. Before occupying buildings, all development and construction shall substantially
23 comply with the approved plans.
- 24 5. All privately-owned improvements shall be permanently maintained by the Permittee
25 or an appropriately established owners association approved by the City Attorney.
- 26 6. The physical location of all setbacks and yards, buildings, parking and circulation
27 elements, and similar matters must be in substantial compliance with the location of said items as
28 shown on the approved site plan.
- 29 7. The terms, conditions, and requirements of the ordinance shall run with the land and
30 be binding upon the permittee, its successors, and assigns.

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

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2015: _____ Mayor
