
13-44

Introduce: 3-18-13

Change of Zone 05068C

ORDINANCE NO. _____

1 AN ORDINANCE amending the Lincoln Zoning District Maps attached to and
2 made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020
3 of the Lincoln Municipal Code, by changing the boundaries of the districts established
4 and shown thereon.

5 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

6 Section 1. That the "Lincoln Zoning District Maps" attached to and made a part
7 of Title 27 of the Lincoln Municipal Code be and they are hereby amended by changing
8 the boundaries of the districts established and shown on said Maps as follows:

9 Section 1. That the land legally described as follows:

10 Lot 65 Irregular Tract, located in the Southeast Quarter of
11 Section 27, Township 9 North, Range 7 East of the 6th P.M.,
12 City of Lincoln, Lancaster County, Nebraska;

13 be and it hereby is (1) transferred from the AG Agricultural District to the R-3 Residential
14 District and is hereby made a part of the R-3 Residential District; (2) designated as a
15 Planned Unit Development District pursuant to and in accordance with Chapter 27.60 of
16 the Lincoln Municipal Code entitled "Planned Unit Development District"; and (3)

1 governed by all the provisions and regulations pertaining to the R-3 Residential District
2 except as modified in Section 2 below.

3 Section 2. The Development Plan submitted by R.C. Krueger Development
4 (“Permittee”) expands a planned unit development under the Development Plan
5 submitted by Carl Schmidt, Midwest Net Lease Investors, and SAP-SE, LLC, as
6 amended, for the Woodlands at Yankee Hill Planned Unit Development to add
7 approximately 24 acres of land for 64 lots for single family residential development upon
8 condition that operation of the Woodlands at Yankee Hill Planned Unit Development by
9 Permittee and its successors and assigns be in substantial compliance with said
10 application, the site plan and the following express terms and conditions and
11 requirements:

12 1. Before receiving building permits:

13 a. The Permittee shall cause to be prepared and submitted to the
14 Planning Department a revised and reproducible final plot plan including five copies with
15 all required revisions and documents as listed below upon approval of the planned unit
16 development by the City:

17 i. Revise the site plans as follows:

18 (1) Show the projection of street grades 300' beyond the
19 boundary of the PUD adjacent to the area being
20 added.

21 (2) Revise the grading and drainage plan to provide a
22 location for the bike trail to the satisfaction of the
23 Parks and Recreation Department.

24 ii. Submit revised grading, drainage, and utility plans to the
25 satisfaction of the Public Works and Utilities Department.

1 b. The City Council must approve the associated request Annexation
2 # 12002.

3 c. The Permittee shall have submitted an acceptable revised final
4 plan.

5 d. The construction plans must substantially comply with the approved
6 plans.

7 e. Final plats must be approved by the City.

8 f. Permittee agrees to comply with the terms of the annexation
9 agreement.

10 2. Before occupying the dwelling units and commercial buildings all
11 development and construction must substantially comply with the approved plans.

12 3. All privately-owned improvements shall be permanently maintained by the
13 Permittee or an appropriately established owners association approved by the City
14 Attorney.

15 4. The site plan accompanying this planned unit development shall be the
16 basis for all interpretations of setbacks, yards, locations of buildings, location of parking
17 and circulation elements, and similar matters.

18 5. The terms, conditions, and requirements of this ordinance shall run with
19 the land and be binding upon the Permittee, its successors and assigns.

20 6. The Permittee shall sign and return the letter of acceptance to the City
21 Clerk. This step should be completed within 60 days following the approval of the
22 change of zone, provided, however, said 60-day period may be extended up to six
23 months by administrative amendment. The City Clerk shall file a copy of the ordinance
24 approving the change of zone and the letter of acceptance with the Register of Deeds,

1 filing fees therefor to be paid in advance by the Permittee. Building permits will not be
2 issued unless the letter of acceptance has been filed.

3 7. The site plan as approved with this ordinance voids and supersedes all
4 previously approved site plans, however the terms and conditions of all prior ordinances
5 approving the Planned Unit Development remain in force and effect except as
6 specifically amended by this ordinance.

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

Introduced by:

Approved as to Form & Legality:

City Attorney

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| Approved this ___ day of _____, 2013: _____ Mayor |
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