



14-77

Introduce: 6-23-14

Change of Zone 04075E

ORDINANCE NO. 20047

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 PARCEL 1

H.

11 A TRACT OF LAND COMPOSED OF A PORTION OF LOT
12 89 I T., LOCATED IN THE SOUTHEAST QUARTER OF
13 SECTION 21, TOWNSHIP 9 NORTH, RANGE 7 EAST OF
14 THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND
15 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

16 BEGINNING AT THE NORTHWEST CORNER OF LOT 89
17 I.T., SAID POINT BEING THE NORTHEAST CORNER OF
18 OUTLOT "A", VILLAGE MEADOWS 6TH ADDITION, SAID
19 POINT BEING ON THE NORTH LINE OF THE
20 SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 9

1 NORTH, RANGE 7 EAST; THENCE EASTERLY ON THE
2 NORTH LINE OF SAID LOT 89 I.T., SAID LINE BEING THE
3 NORTH LINE OF SAID SOUTHEAST QUARTER ON AN
4 ASSUMED BEARING OF S89°58'04"E, A DISTANCE OF
5 420.95' TO A POINT; THENCE S00°00'59"W, A DISTANCE
6 OF 180.04' TO A POINT; THENCE S89°59'01"E, A
7 DISTANCE OF 10.00' TO A POINT; THENCE S00°00'59"W,
8 A DISTANCE OF 60.00' TO A POINT; THENCE
9 N89°59'01"W, A DISTANCE OF 18.86' TO A POINT;
10 THENCE S00°00'59"W, A DISTANCE OF 142.74' TO A
11 POINT; THENCE N89°20'25"W, A DISTANCE OF 31.72' TO
12 A POINT; THENCE N78°45'02"W, A DISTANCE OF 33.94'
13 TO A POINT; THENCE N77°54'56"W, A DISTANCE OF
14 66.47' TO A POINT; THENCE N76°55'40"W, A DISTANCE
15 OF 66.72' TO A POINT; THENCE S15°50'42"W, A
16 DISTANCE OF 115.30' TO A POINT; THENCE
17 S74°09'18"E, A DISTANCE OF 10.00' TO A POINT;
18 THENCE S15°50'42"W, A DISTANCE OF 60.00' TO A
19 POINT; THENCE N74°09'18"W, A DISTANCE OF 24.96' TO
20 A POINT; THENCE S15°50'42"W, A DISTANCE OF 120.00'
21 TO A POINT; THENCE S74°09'18"E, A DISTANCE OF
22 12.28' TO A POINT; THENCE S15°50'42"W, A DISTANCE
23 OF 119.60' TO A POINT; THENCE S74°14'20"E, A
24 DISTANCE OF 19.29' TO A POINT; THENCE S15°45'40"W,
25 A DISTANCE OF 60.00' TO A POINT; THENCE
26 N74°14'20"W, A DISTANCE OF 10.00' TO A POINT;
27 THENCE S15°50'42"W, A DISTANCE OF 119.74' TO A
28 POINT; THENCE S15°40'08"W, A DISTANCE OF 120.37'
29 TO A POINT; THENCE S74°09'18"E, A DISTANCE OF
30 20.46' TO A POINT; THENCE S15°50'42"W, A DISTANCE
31 OF 60.00' TO A POINT; THENCE N74°09'18"W, A
32 DISTANCE OF 10.00' TO A POINT; THENCE S15°50'42"W,
33 A DISTANCE OF 103.01' TO THE NORTHEAST CORNER
34 OF OUTLOT "B", VILLAGE MEADOWS 6TH ADDITION,
35 SAID POINT BEING A SOUTH CORNER OF SAID LOT 89
36 I.T.; THENCE N63°09'20"W, ON A NORTH LINE OF SAID
37 OUTLOT "B", SAID LINE BEING A SOUTH LINE OF SAID
38 LOT 89 I.T., A DISTANCE OF 120.04' TO A POINT OF
39 CURVATURE OF A NON TANGENT CURVE IN A
40 COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL
41 ANGLE OF 01°10'22", A RADIUS OF 1,030.00', AN ARC
42 LENGTH OF 21.08' ON A WEST LINE OF SAID LOT 89 I.T.,
43 SAID LINE BEING A EAST LINE OF SAID OUTLOT "B", A
44 CHORD LENGTH OF 21.08', A TANGENT LENGTH OF
45 10.54', AND A CHORD BEARING OF N26°15'29"E TO A
46 POINT; THENCE N64°19'42"W, ON A SOUTH LINE OF

1 SAID LOT 89 I.T., SAID LINE BEING A NORTH LINE OF
2 SAID OUTLOT "B", A DISTANCE OF 60.00' TO A POINT
3 OF CURVATURE OF A NON TANGENT CURVE IN A
4 CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE
5 OF 00°35'26", A RADIUS OF 970.00', AN ARC LENGTH OF
6 10.00' ON A EAST LINE OF SAID LOT 89 I.T., SAID LINE
7 BEING A WEST LINE OF SAID OUTLOT "B", A CHORD
8 LENGTH OF 10.00', A TANGENT LENGTH OF 5.00', AND A
9 CHORD BEARING OF S25°58'01"W TO A POINT, THENCE
10 N63°44'16"W, ON A SOUTH LINE OF SAID LOT 89 I.T.,
11 SAID LINE BEING A NORTH LINE OF SAID OUTLOT "B", A
12 DISTANCE OF 130.00' TO THE NORTHWEST CORNER
13 OF SAID OUTLOT "B", SAID POINT BEING ON A EAST
14 LINE OF LOT 2, BLOCK 2, VILLAGE MEADOWS 6TH
15 ADDITION, AND AN EAST LINE OF OUTLOT "A", VILLAGE
16 MEADOWS 6TH ADDITION; THENCE N23°57'27"E, ON A
17 WEST LINE OF SAID LOT 89 I.T., SAID LINE BEING A
18 EAST LINE OF SAID LOT 2, A DISTANCE OF 67.57' TO A
19 POINT; THENCE N19°35'05"E, ON A WEST LINE OF SAID
20 LOT 89 I.T., SAID LINE BEING A EAST LINE OF SAID
21 OUTLOT "A", A DISTANCE OF 60.62' TO A POINT;
22 THENCE N15°26'56"E, ON A WEST LINE OF SAID LOT 89
23 I.T., SAID LINE BEING A EAST LINE OF SAID OUTLOT
24 "A", A DISTANCE OF 60.62' TO A POINT; THENCE
25 N12°53'36"E, ON A WEST LINE OF SAID LOT 89 I.T., SAID
26 LINE BEING A EAST LINE OF SAID OUTLOT "A", A
27 DISTANCE OF 691.11' TO A POINT OF CURVATURE OF A
28 NON TANGENT CURVE IN A COUNTER CLOCKWISE
29 DIRECTION HAVING A CENTRAL ANGLE OF 01°04'52", A
30 RADIUS OF 530.00', AN ARC LENGTH OF 10.00' ON A
31 NORTH LINE OF SAID LOT 89 I.T., SAID LINE BEING A
32 SOUTH LINE OF SAID OUTLOT "A", A CHORD LENGTH
33 OF 10.00', A TANGENT LENGTH OF 5.00', AND A CHORD
34 BEARING OF S67°28'37"E TO A POINT; THENCE
35 N21°58'57"E, ON A WEST LINE OF SAID LOT 89 I.T., SAID
36 LINE BEING A EAST LINE OF SAID OUTLOT "A", A
37 DISTANCE OF 60.00' TO A POINT OF CURVATURE OF A
38 NON TANGENT CURVE IN A CLOCKWISE DIRECTION
39 HAVING A CENTRAL ANGLE OF 04°55'23", A RADIUS OF
40 470.00', AN ARC LENGTH OF 40.38' ON A SOUTH LINE
41 OF SAID LOT 89 I.T., SAID LINE BEING A NORTH LINE
42 OF SAID OUTLOT "A", A CHORD LENGTH OF 40.37', A
43 TANGENT LENGTH OF 20.20', AND A CHORD BEARING
44 OF N65°33'21"W TO A POINT; THENCE N26°54'20"E, ON
45 A WEST LINE OF SAID LOT 89 I.T., SAID LINE BEING A
46 EAST LINE OF SAID OUTLOT "A", A DISTANCE OF
47 145.02' TO THE POINT OF BEGINNING, SAID TRACT

1 CONTAINS A CALCULATED AREA 399,213.37 SQUARE
2 FEET OR 9.16 ACRES, MORE OR LESS.

3 TOGETHER WITH THE FOLLOWING

4 PARCEL 2

5 A TRACT OF LAND COMPOSED OF A PORTION OF LOT
6 89 I.T., AND ALL OF LOTS 92 I.T. AND 93 I.T., ALL
7 LOCATED IN THE SOUTH HALF OF SECTION 21,
8 TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M.,
9 LANCASTER COUNTY, NEBRASKA, AND MORE
10 PARTICULARLY DESCRIBED AS FOLLOWS:

11 BEGINNING AT THE SOUTHEAST CORNER OF LOT 92
12 I.T., SAID POINT BEING THE SOUTHWEST CORNER OF
13 LOT 90 I.T., SAID POINT BEING 50.00' NORTH OF THE
14 SOUTH LINE OF THE SOUTHEAST QUARTER OF
15 SECTION 21, TOWNSHIP 9 NORTH, RANGE 7 EAST,
16 SAID POINT BEING ON A NORTH RIGHT-OF-WAY LINE
17 OF YANKEE HILL ROAD; THENCE S89°51'31"W, ON THE
18 SOUTH LINE OF SAID LOT 92 I.T., AND A SOUTH LINE
19 OF LOT 93 I.T., SAID LINE BEING ON A NORTH LINE OF
20 SAID RIGHT-OF-WAY, SAID LINE BEING 50.00' NORTH
21 OF AND PARALLEL WITH THE SOUTH LINE OF SAID
22 SOUTHEAST QUARTER, A DISTANCE OF 884.55' TO A
23 POINT; THENCE S89°51'10"W, ON A SOUTH LINE OF
24 SAID LOT 93 I.T., SAID LINE BEING A NORTH LINE OF
25 SAID RIGHT-OF-WAY, SAID LINE BEING 50.00' NORTH
26 OF AND PARALLEL WITH THE SOUTH LINE OF THE
27 SOUTHWEST QUARTER OF SAID SECTION 21, A
28 DISTANCE OF 39.64' TO THE SOUTHWEST CORNER OF
29 SAID LOT 93 I.T., THENCE N00°16'08"E, ON A WEST LINE
30 OF SAID LOT 93 I.T., SAID LINE BEING A EAST LINE OF
31 SAID RIGHT-OF-WAY, AND AN EAST LINE OF OUTLOT
32 "A", VILLAGE MEADOWS 2ND ADDITION, A DISTANCE
33 OF 68.91' TO A POINT; THENCE N89°43'38"W, ON A
34 SOUTH LINE OF SAID LOT 93 I.T., SAID LINE BEING A
35 NORTH LINE OF SAID OUTLOT "A", A DISTANCE OF
36 90.25' TO A POINT; THENCE N00°16'14"E, ON A WEST
37 LINE OF SAID LOT 93 I.T., SAID LINE BEING A EAST LINE
38 OF SAID OUTLOT "A", AND AN EAST LINE OF LOT 4,
39 BLOCK 3, VILLAGE MEADOWS 2ND ADDITION, A
40 DISTANCE OF 120.00' TO THE SOUTHWEST CORNER
41 OF OUTLOT "B", VILLAGE MEADOWS 2ND ADDITION;
42 THENCE S89°43'38"E, ON A NORTH LINE OF SAID LOT

1 93 I.T., SAID LINE BEING THE SOUTH LINE OF SAID
2 OUTLOT "B", A DISTANCE OF 8.49' TO THE SOUTHEAST
3 CORNER OF SAID OUTLOT "B"; THENCE N00°00'05"E,
4 ON A WEST LINE OF SAID LOT 93 I.T., SAID LINE BEING
5 THE EAST LINE OF SAID OUTLOT "B", THE EAST
6 RIGHT-OF-WAY LINE OF CHATSWORTH LANE, THE
7 EAST LINE OF LOT 1, BLOCK 2, VILLAGE MEADOWS
8 2ND ADDITION, AND AN EAST LINE OF LOT 2, BLOCK 2,
9 VILLAGE MEADOWS 2ND ADDITION, A DISTANCE OF
10 216.65' TO A POINT; THENCE N08°37'50"E, ON A WEST
11 LINE OF SAID LOT 93 I.T., SAID LINE BEING A EAST LINE
12 OF SAID LOT 2, AN EAST LINE OF LOT 3, BLOCK 2,
13 VILLAGE MEADOWS 2ND ADDITION, AND AN EAST LINE
14 OF OUTLOT "C", VILLAGE MEADOWS 2ND ADDITION, A
15 DISTANCE OF 138.75' TO A POINT; THENCE
16 N23°21'37"E, ON WEST LINE OF SAID LOT 93 I.T., SAID
17 LINE BEING A EAST LINE OF SAID OUTLOT "C", A
18 DISTANCE OF 243.52' TO THE NORTHEAST CORNER OF
19 SAID OUTLOT "C"; THENCE N60°32'27"W, ON A SOUTH
20 LINE OF SAID LOT 93 I.T., SAID LINE BEING A NORTH
21 LINE OF SAID OUTLOT "C", A DISTANCE OF 63.04' TO
22 THE NORTHWEST CORNER OF SAID OUTLOT "C", SAID
23 POINT BEING THE SOUTHEAST CORNER OF LOT 3,
24 BLOCK 5, VILLAGE MEADOWS 6TH ADDITION; THENCE
25 N26°49'28"E, ON A WEST LINE OF SAID LOT 93 I.T., SAID
26 LINE BEING THE EAST LINE OF SAID LOT 3, AND THE
27 EAST LINE OF LOTS 2 AND 1, BLOCK 5, VILLAGE
28 MEADOWS 6TH ADDITION, A DISTANCE OF 205.95' TO
29 THE SOUTHWEST CORNER OF OUTLOT "D", VILLAGE
30 MEADOWS 6TH ADDITION; THENCE S59°58'29"E, ON A
31 NORTH LINE OF SAID LOT 93 I.T., SAID LINE BEING THE
32 SOUTH LINE OF SAID OUTLOT "D", A DISTANCE OF
33 10.00' TO A POINT; THENCE N30°01'31"E, ON A WEST
34 LINE OF SAID LOT 93 I.T., SAID LINE BEING THE EAST
35 LINE OF SAID OUTLOT "D", THE EAST LINE OF BRIDLE
36 LANE RIGHT-OF-WAY, AND THE EAST LINE OF OUTLOT
37 "C", VILLAGE MEADOWS 6TH ADDITION, A DISTANCE
38 OF 72.00' TO A POINT; THENCE N59°58'29"W, ON A
39 SOUTH LINE OF SAID LOT 93 I.T., SAID LINE BEING THE
40 NORTH LINE OF SAID OUTLOT "C", A DISTANCE OF
41 22.67' TO THE NORTHWEST CORNER OF SAID OUTLOT
42 "C", SAID POINT BEING ON THE EAST LINE OF LOT 6,
43 BLOCK 3, VILLAGE MEADOWS 6TH ADDITION; THENCE
44 N30°01'31"E, ON A WEST LINE OF SAID LOT 93 I.T., SAID
45 LINE BEING THE EAST LINE OF SAID LOT 6, A
46 DISTANCE OF 120.00' TO THE NORTHWEST CORNER

1 OF SAID LOT 93 I.T., SAID POINT BEING THE
2 NORTHWEST CORNER OF SAID LOT 6, SAID POINT
3 BEING ON A SOUTH LINE OF LOT 89 I.T.; THENCE
4 N59°58'27"W, ON A SOUTH LINE OF SAID LOT 89 I.T.,
5 SAID LINE BEING A NORTH LINE OF SAID LOT 6, A
6 DISTANCE OF 2.08' TO A SOUTHWEST CORNER OF
7 SAID LOT 89 I.T., SAID POINT BEING THE MOST
8 SOUTHERN CORNER OF OUTLOT "B", VILLAGE
9 MEADOWS 6TH ADDITION; THENCE N31°02'56"E, ON A
10 WEST LINE OF SAID LOT 89 I.T., SAID LINE BEING A
11 EAST LINE OF SAID OUTLOT "B", A DISTANCE OF
12 124.80' TO A POINT; THENCE S58°57'04"E, ON A NORTH
13 LINE OF SAID LOT 89 I.T., SAID LINE BEING A SOUTH
14 LINE OF SAID OUTLOT "B", A DISTANCE OF 44.03' TO A
15 POINT; THENCE N31°02'56"E, ON A WEST LINE OF SAID
16 LOT 89 I.T., SAID LINE BEING A EAST LINE OF SAID
17 OUTLOT "B", A DISTANCE OF 60.00' TO A POINT;
18 THENCE N58°57'04"W, ON A SOUTH LINE OF SAID LOT
19 89 I.T., SAID LINE BEING A NORTH LINE OF SAID
20 OUTLOT "B", A DISTANCE OF 10.00' TO A POINT;
21 THENCE N31°02'56"E, ON A WEST LINE OF SAID LOT 89
22 I.T., SAID LINE BEING A EAST LINE OF SAID OUTLOT
23 "B", A DISTANCE OF 95.70' TO A POINT; THENCE
24 N20°44'16"E, ON A WEST LINE OF SAID LOT 89 I.T., SAID
25 LINE BEING A EAST LINE OF SAID OUTLOT "B", A
26 DISTANCE OF 17.05' TO THE NORTHEAST CORNER OF
27 SAID OUTLOT "B"; THENCE S15°50'42"W, A DISTANCE
28 OF 16.99' TO A POINT; THENCE S74°09'18"E, A
29 DISTANCE OF 174.46' TO A POINT; THENCE
30 S59°57'04"E, A DISTANCE OF 55.12' TO A POINT;
31 THENCE S31°34'34"E, A DISTANCE OF 54.71' TO A
32 POINT; THENCE S16°49'50"E, A DISTANCE OF 53.50' TO
33 A POINT; THENCE S02°05'50"W, A DISTANCE OF 41.85'
34 TO A POINT; THENCE S08°57'42"W, A DISTANCE OF
35 56.53' TO A POINT; THENCE S15°14'21"W, A DISTANCE
36 OF 129.58' TO A POINT OF INTERSECTION WITH A
37 NORTH LINE OF LOT 92 I.T.; THENCE S74°48'32"E, ON A
38 NORTH LINE OF SAID LOT 92 I.T., A DISTANCE OF 31.00'
39 TO A POINT; THENCE S75°36'13"E, ON A NORTH LINE
40 OF SAID LOT 92 I.T., A DISTANCE OF 90.91' TO A POINT;
41 THENCE N14°23'47"E, ON A WEST LINE OF SAID LOT 92
42 I.T., A DISTANCE OF 31.28' TO A POINT; THENCE
43 S75°36'13"E, ON A NORTH LINE OF SAID LOT 92 I.T., A
44 DISTANCE OF 60.00' TO A POINT; THENCE S14°23'47"W,
45 ON A EAST LINE OF SAID LOT 92 I.T., A DISTANCE OF
46 10.00' TO A POINT; THENCE S75°36'13"E, ON A NORTH
47 LINE OF SAID LOT 92 I.T., A DISTANCE OF 77.79' TO A
48 POINT; THENCE S87°15'53"E, ON A NORTH LINE OF

1 SAID LOT 92 I.T., A DISTANCE OF 71.43' TO A POINT;
2 THENCE N90°00'00"E, ON A NORTH LINE OF SAID LOT
3 92 I.T., A DISTANCE OF 57.19' TO THE NORTHEAST
4 CORNER OF SAID LOT 92 I.T.; THENCE S01°11'38"E, ON
5 A EAST LINE OF SAID LOT 92 I.T., A DISTANCE OF
6 126.00' TO A POINT OF CURVATURE OF A NON
7 TANGENT CURVE IN A COUNTER CLOCKWISE
8 DIRECTION HAVING A CENTRAL ANGLE OF 00°43'12", A
9 RADIUS OF 1,484.41', AN ARC LENGTH OF 18.65' ON A
10 NORTH LINE OF SAID LOT 92 I.T., A CHORD LENGTH OF
11 18.65', A TANGENT LENGTH OF 9.33', AND A CHORD
12 BEARING OF N88°26'46"E TO A POINT; THENCE
13 S01°54'50"E, ON A EAST LINE OF SAID LOT 92 I.T., A
14 DISTANCE OF 60.00' TO A POINT OF CURVATURE OF A
15 NON TANGENT CURVE IN A CLOCKWISE DIRECTION
16 HAVING A CENTRAL ANGLE OF 00°20'35", A RADIUS OF
17 1,544.41', AN ARC LENGTH OF 9.25' ON A SOUTH LINE
18 OF SAID LOT 92 I.T., A CHORD LENGTH OF 9.25', A
19 TANGENT LENGTH OF 4.62', AND A CHORD BEARING
20 OF S88°15'28"W TO A POINT; THENCE S05°13'31"W, ON
21 A EAST LINE OF SAID LOT 92 I.T., A DISTANCE OF
22 270.96' TO A POINT; THENCE S00°08'30"E, ON A EAST
23 LINE OF SAID LOT 92 I.T., A DISTANCE OF 476.08' TO
24 THE POINT OF BEGINNING, SAID TRACT CONTAINS A
25 CALCULATED AREA 1,079,264.94 SQUARE FEET OR
26 24.78 ACRES, MORE OR LESS.

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

33 Section 2 The Amended Development Plan for the Village Gardens Planned
34 Unit Development dated May 13, 2014, attached hereto and marked as Attachment "A"
35 and incorporated herein by reference, as if fully set forth herein verbatim, be and the
36 same is hereby approved, upon condition that operation of said Planned Unit

1 Development be in strict compliance with said Amended Development Plan, the site
2 plan, and the following express terms, conditions and requirements,

3 1 This approval approves the expansion of the Planned Unit Development to
4 add approximately 33.94 acres of land for 92 lots for single family residential
5 development and to allow an elderly and retirement housing facility in the underlying R-3
6 zoned residential area.

7 2. The City Council approves Annexation No. 14003.

8 3. Before receiving building permits:

9 a. The Permittee shall cause to be prepared and submitted to the
10 Planning Department a revised and reproducible final plot plan including four copies
11 with all required revisions and documents as listed below:

12 i. Revise the site plans as follows:

13 (1) Show the dimension of the right-of-way from
14 centerline in Yankee Hill Road, and include the
15 location of the bike trail.

16 (2) Delineate the 221' Hazard Area along the north side
17 of the pipeline in Yankee Hill Road.

18 (3) Add a note stating "Lots 1 and 2, Block 19 may be
19 developed with dwellings, the Hazard Area does not
20 apply."

21 (4) Delete the 'Previously Requested Waivers' table
22 shown on Sheet 1 of 11, they are no longer
23 applicable.

24 (5) Add a general note to Sheet 1 of 11 which states "A
25 street and lot layout for Outlot J to be approved by the
26 City prior to development."

27 (6) Revise the grading and drainage plans to the
28 satisfaction of Public Works and Utilities.

- 1 (7) Modify the note on Sheet 1 of 11 near where the
2 intersection of South 65th Street and Yankee Hill Road
3 would be located to state "Potential South 65th Street
4 intersection."
- 5 (8) Make corrections noted by the L.E.S. review.
- 6 ii. Update the exhibits in the Development Plan to match the
7 current plan.
- 8 iii. The construction plans comply with the approved plans.
- 9 iv. Final plat(s) is/are approved by the City.
- 10 b. Final plans for CZ#04075E must be submitted and approved by
11 the City.
- 12 4. Before occupying the buildings all development and construction must
13 substantially comply with the approved plans.
- 14 5. All privately-owned improvements shall be permanently maintained by the
15 Permittee or an appropriately established owners association approved by the City
16 Attorney.
- 17 6. The site plan accompanying this planned unit development shall be the
18 basis for all interpretations of setbacks, yards, locations of buildings, location of parking
19 and circulation elements, and similar matters.
- 20 7 The terms, conditions, and requirements of this ordinance shall run with
21 the land and be binding upon the Permittee, its successors and assigns.
- 22 8. The Permittee shall sign and return the letter of acceptance to the City
23 Clerk. This step should be completed within 60 days following the approval of the
24 change of zone, provided, however, said 60-day period may be extended up to six
25 months by administrative amendment The City Clerk shall file a copy of the ordinance

1 approving the change of zone and the letter of acceptance with the Register of Deeds,
2 filing fees therefor to be paid in advance by the Permittee. Building permits will not be
3 issued unless the letter of acceptance has been filed.

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

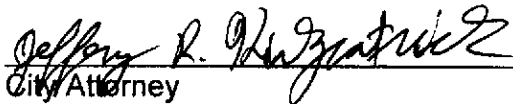
8 Section 3. Pursuant to Article VII, Section 7 of the City Charter, this ordinance
9 shall be posted on the official bulletin board of the City, located on the wall across from
10 the City Clerk's office at 555 S. 10th Street, in lieu of and in place of newspaper
11 publication with notice of passage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

Introduced by.



AYES: Camp, Christensen,
Cook, Emery, Eskridge, Fellers,
Gaylor Baird; NAYS: None.

Approved as to Form & Legality:


City Attorney

PASSED

JUL 14 2014

BY CITY COUNCIL

Approved this 16th day of July, 2014.


Mayor

LETTER OF ACCEPTANCE

City of Lincoln
Lincoln, Nebraska

RE: CHANGE OF ZONE 04075E

To The City Clerk:

The undersigned, "Permittee" under **Change of Zone 04075E** granted by **Ordinance No. 20047**, passed by the City Council of the City of Lincoln, Nebraska, on **July 14, 2014**, hereby files this Letter of Acceptance and certifies to the City of Lincoln that the Permittee is fully aware of and understand all the conditions of said Ordinance and that Permittee consents to and agrees to comply with the same.

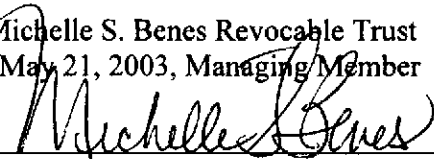
Permittee further certifies that the person whose signature appears below has the authority to bind Permittee to the terms and conditions of this Letter of Acceptance, including Permittee's financial obligations under said Change of Zone.

Dated this 18th day of July, 2014.

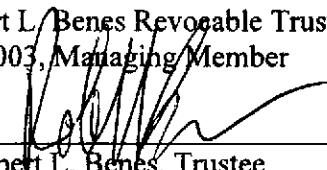
SIGNATURE PAGES TO FOLLOW

1640, LLC, a Nebraska limited liability company

By: Michelle S. Benes Revocable Trust dated May 21, 2003, Managing Member

By: 
Michelle S. Benes, Trustee

By: Robert L. Benes Revocable Trust dated May 21, 2003, Managing Member

By: 
Robert L. Benes, Trustee

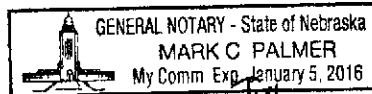
STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)



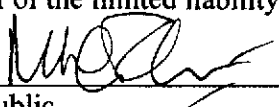
The foregoing was acknowledged before me this 18th day of ~~June~~ ^{July}, 2014, by Michelle S. Benes, Trustee of the Michelle S. Benes Revocable Trust dated May 21, 2003, Managing Member of **1640 LLC**, a Nebraska limited liability company, on behalf of the limited liability company.


Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)



The foregoing was acknowledged before me this 18th day of ~~June~~ ^{July}, 2014, by Robert L. Benes, Trustee of the Robert L. Benes Revocable Trust dated May 21, 2003, Managing Member of **1640 LLC**, a Nebraska limited liability company, on behalf of the limited liability company.


Notary Public

VILLAGE MEADOWS, LLC, a Nebraska limited liability company

By: 1640 LLC, a Nebraska limited liability company, Manager

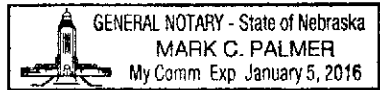
By: Michelle S. Benes Revocable Trust
dated May 21, 2003, Managing Member

By: *Michelle S. Benes*
Michelle S. Benes, Trustee

By: Robert L. Benes Revocable Trust
dated May 21, 2003, Managing Member

By: *Robert L. Benes*
Robert L. Benes, Trustee

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)



The foregoing was acknowledged before me this 18th day of ~~June~~ ^{July}, 2014, by Michelle S. Benes, Trustee of the Michelle S. Benes Revocable Trust dated May 21, 2003, Managing Member of 1640 LLC, a Nebraska limited liability company, Manager of **Village Meadows, LLC**, a Nebraska limited liability company, on behalf of the limited liability company.

Mark C. Palmer
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)



The foregoing was acknowledged before me this 18th day of ~~June~~ ^{July}, 2014, by Robert L. Benes, Trustee of the Robert L. Benes Revocable Trust dated May 21, 2003, Managing Member of 1640 LLC, a Nebraska limited liability company, Manager of **Village Meadows, LLC**, a Nebraska limited liability company, on behalf of the limited liability company.

Mark C. Palmer
Notary Public

CERTIFICATE

I, Sandy L. Dubas, Deputy City Clerk of the City of Lincoln, Nebraska, do certify that the above and foregoing is a true and correct copy of Ordinance No. 20047 - Amending the Village Gardens Planned Unit Development by expanding the boundary by approximately 34 acres; for a change of zone from AG Agricultural District to R-3 Residential District PUD, for a Planned Unit Development District designation of said property, and for a development plan which proposes modifications to the Zoning Ordinance and Land Subdivision Ordinance to allow an elderly and retirement housing facility and an additional 92 single-family dwelling lots on the underlying R-3 zoned area, on property generally located at S 63rd St. and Yankee Hill Rd, as passed and approved by the Lincoln City Council on July 14, 2014, as the original appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand officially & affixed the seal of the City of Lincoln, Nebraska, this 17th day of July, 2014.

Sandy L. Dubas

Deputy City Clerk

