

Change of Zone 2463D

ORDINANCE NO. _____

1 AN ORDINANCE amending the development plan for the Highpointe Planned
 2 Unit Development to allow a changeable copy freestanding sign to be located in the
 3 commercial component of the development adjacent to Old Cheney Road, on property
 4 generally located southwest of the intersection of South 48th Street and Old Cheney
 5 Road and legally described as Lot 2, Block 1, Highpointe Addition, Lincoln, Lancaster
 6 County, Nebraska.

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

8 Section 1. That the application of The 3 Amigos Properties, LLC, hereinafter
 9 referred to as "Permittee", to amend the development plan for the Highpointe Planned
 10 Unit Development to allow a 50 square foot, six foot tall freestanding electronic sign to
 11 be located in the commercial component of the planned unit development adjacent to
 12 Old Cheney Road, on property generally located southwest of the intersection of South
 13 48th Street and Old Cheney Road and legally described as Lot 2, Block 1, Highpointe
 14 Addition, be and the same is hereby approved upon condition that the construction and
 15 operation of said freestanding electronic changeable copy sign by Permittee be in
 16 substantial compliance with said application, site plan, and the following express terms,
 17 conditions and requests:

- 18 1. Before receiving building permits the Permittee shall (i) cause to be
 19 prepared and submitted to the Planning Department a revised and reproducible final

1 plan showing a revised landscape plan for Lot 2, Block 1, Highpointe Addition, which
2 maintains the required landscaping and screening while accommodating the proposed
3 freestanding sign at the time of sign permit; and (ii) provide documentation from the
4 Register of Deeds that the letter of acceptance as required by the approval of this
5 amendment to the planned unit development has been recorded.

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

9 3. The terms, conditions, and requirements of this ordinance shall run with
10 the land and be binding upon the Permittee, its successors and assigns.

11 4. The Permittee shall sign and return the letter of acceptance to the City
12 Clerk within 60 days following the approval of the Change of Zone 2463D, provided,
13 however, said 60-day period may be extended up to six months by administrative
14 amendment. The clerk shall file a copy of the ordinance approving the change of zone
15 and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in
16 advance by the Permittee.

17 5. The site plan as approved with this ordinance voids and supersedes all
18 previously approved site plans, however all ordinances approving previous site plans
19 remain in full force and effect except as amended by this ordinance.

20 Section 2. That this ordinance shall take effect and be in force from and after
21 its passage and publication in one issue of a daily or weekly newspaper of general
22 circulation in the City, according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2009:

Mayor