

Change of Zone 06031

ORDINANCE NO. _____

1 AN ORDINANCE designating the 48th & O Streets Redevelopment Plan area as a
 2 special sign district in accordance with the provisions of § 27.69.300 of the Lincoln Municipal
 3 Code and adopting special criteria for signs in said district.

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

5 Section 1. That the 48th & O Streets Redevelopment Plan area, generally located
 6 southeast of the intersection of South 48th Street and O Street, and including property legally
 7 described as:

8 A portion of the remaining portion of Lot 4, Lemings Subdivision,
 9 and a portion of Lot 3 and Lot 4, Alles Replat, of part of Lot 4,
 10 Lemings Subdivision, located in the Northeast Quarter of Section
 11 29, Township 10 North, Range 7 East of the 6th P.M., City of
 12 Lincoln, Lancaster County, Nebraska, and more particularly
 13 described as follows:

14 Beginning at the southwest corner of a portion of the remaining
 15 portion of said Lot 4, said point being located at the intersection of
 16 the east right-of-way line of South 48th Street with the north right-
 17 of-way line of M Street, said point being 25 feet north of the
 18 original southwest corner of said Lot 4; thence north along the
 19 east right-of-way line of South 48th Street, on an assumed bearing
 20 of north 00 degrees 10 minutes 54 seconds west, a distance of
 21 73.49 feet to the south corner of a parcel of land referred to in
 22 Book 628, page 187, Records of Lancaster County; thence north
 23 02 degrees 30 minutes 44 seconds east, along said east right-of-
 24 way line, a distance of 34.89 feet to the northeast corner of a
 25 parcel of land as referred to in said Book 628, Page 187; thence
 26 north 02 degrees 30 minutes 37 seconds east, along said east
 27 right-of-way line, a distance of 120.51 feet to a point that is 40.3
 28 feet east of the west line of the Northeast Quarter of said Section
 29 29; thence north 02 degrees 36 minutes 49 seconds east, along
 30 said east right-of-way line, a distance of 50.40 feet to an east
 31 corner of a parcel of land as referred to in said Book 82, Page 30;
 32 thence around a curve in a counter clockwise direction, having a
 33 delta angle of 02 degrees 42 minutes 28 seconds, a radius of
 34 307.00 feet, an arc length of 14.51 feet, a chord bearing of north
 35 00 degrees 46 minutes 39 seconds east, along said east right-of-
 36 way line, and a chord length of 14.51 feet to an east corner of a

1 parcel of land as referred to in said Book 82, Page 30; thence
2 north 00 degrees 10 minutes 54 seconds west, along said east
3 right-of-way line, a distance of 130.34 feet to the southwest corner
4 of a parcel of land as described in Inst. No. 2004-30482, Records
5 of Lancaster County; thence north 89 degrees 49 minutes 06
6 seconds east, along the south right-of-way line of South 48th
7 Street, a distance of 22.00 feet to the southeast corner of a parcel
8 of land as described in said Inst. No. 2004-30482; thence north 00
9 degrees 10 minutes 54 seconds west along said east right-of-way
10 line, a distance of 120.30 feet to an east corner of a parcel of land
11 as described in said Inst. No. 2004-30482; thence north 44
12 degrees 23 minutes 48 seconds east, along the southeasterly
13 right-of-way line of South 48th Street, a distance of 34.77 feet to a
14 south corner of a parcel of land as described in said Inst. No.
15 2004-30482; thence south 89 degrees 50 minutes 51 seconds
16 east, along the south right-of-way line of O Street, a distance of
17 542.71 feet to the west right-of-way line of South 50th Street;
18 thence south 00 degrees 10 minutes 57 seconds east, along said
19 west right-of-way line, a distance of 372.16 feet to a point that is
20 30 feet west and 221 feet north of the original southeast corner of
21 said Lot 4, as referred to in Inst. No. 2003-72339, Records of
22 Lancaster County; thence north 89 degrees 50 minutes 06
23 seconds west, along the south line of a parcel of land as referred
24 to in said Inst. No. 2003-72339, a distance of 104.77 feet to the
25 east line of said Alles Replat, said point being 71 feet north of the
26 southeast corner of Lot 3 of said Alles Replat; thence north 63
27 degrees 16 minutes 48 seconds west, along the southwest line of
28 a parcel of land as described in said Inst. No. 2003-72339, a
29 distance of 96.56 feet; thence north 02 degrees 35 minutes 45
30 seconds east, along the west line of a parcel of land as described
31 in said Inst. No. 2003-72339, a distance of 47.44 feet to the north
32 line of said Alles Replat, said point being 96.0 feet east of the
33 northwest corner of Lot 4 of said Alles Replat, as referred to in
34 said Inst. No. 2003-72339; thence north 89 degrees 14 minutes 17
35 seconds west, along said north line, a distance of 275.57 feet to
36 the northwest corner of Lot 5 of said Alles Replat; thence south 00
37 degrees 10 minutes 54 seconds east, along the west line of said
38 Alles Replat, a distance of 290.37 feet to the southwest corner of
39 said Alles Replat; thence north 89 degrees 58 minutes 46 seconds
40 west, along the north right-of-way line of M Street, a distance of
41 135.00 feet to the point of beginning; said tract contains a
42 calculated area of 215,051.32 square feet or 4.94 acres, more or
43 less;

44 is hereby designated as a special sign district pursuant to § 27.69.300 of the Lincoln Municipal
45 Code upon condition that the special sign district be in strict compliance with said application,
46 the site plan, and the following additional express terms, conditions, and requirements:

1 1. This permit approves the the creation of a special sign district as shown on the
2 attached plan and adjusts the sign regulations for the B-3 district as shown on the site plan and
3 attached sign elevations, and in the sign district regulations that are a part of the special sign
4 district. No pole signs shall be allowed.

5 2. Before receiving building/sign permits:

6 a. The Permittee shall submit five copies of the plans and attachments to
7 the Planning Department showing the following revisions: the note
8 indicating a 40' tall flag pole with a 6' x 9' flag deleted from the special
9 sign district plan.

10 b. The construction plans shall comply with the approved plans.

11 3. All development and construction is to comply with the approved plans.

12 4. The site plan shall be the basis for all interpretations of sign requirements for
13 signs within the special sign district.

14 5. This ordinance's terms, conditions, and requirements bind and obligate the
15 Permittee, its successors and assigns.

16 6. The applicant shall sign and return the letter of acceptance to the City Clerk
17 within 60 days following the approval of the change of zone, provided, however, said 60-day
18 period may be extended up to six months by administrative amendment. The clerk shall file a
19 copy of the ordinance approving the change of zone and the letter of acceptance with the
20 Register of Deeds, filling fees therefor to be paid in advance by the applicant.

21 7. That this ordinance shall take effect and be in force from and after its passage
22 and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2006:

Mayor