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

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

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

Section 1. That the land legally described as follows:

PARCEL 1

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

BEGINNING AT THE NORTHWEST CORNER OF LOT 89 I.T., SAID POINT BEING THE NORTHEAST CORNER OF OUTLOT "A", VILLAGE MEADOWS 6TH ADDITION, SAID POINT BEING ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 9
NORTH, RANGE 7 EAST; THENCE EASTERLY ON THE
NORTH LINE OF SAID LOT 89 I.T., SAID LINE BEING THE
NORTH LINE OF SAID SOUTHEAST QUARTER ON AN
ASSUMED BEARING OF S89°58'04"E, A DISTANCE OF
420.95' TO A POINT; THENCE S00°00'59"W, A DISTANCE
OF 180.04' TO A POINT; THENCE S89°59'01"E, A
DISTANCE OF 10.00' TO A POINT; THENCE S00°00'59"W,
A DISTANCE OF 60.00' TO A POINT; THENCE
N89°59'01"W, A DISTANCE OF 18.86' TO A POINT;
THENCE S00°00'59"W, A DISTANCE OF 142.74' TO A
POINT; THENCE N89°20'25"W, A DISTANCE OF 31.72' TO
A POINT; THENCE N78°45'02"W, A DISTANCE OF 33.94'
TO A POINT; THENCE N77°54'56"W, A DISTANCE OF
66.47' TO A POINT; THENCE N76°55'40"W, A DISTANCE
OF 66.72' TO A POINT; THENCE S15°50'42"W, A
DISTANCE OF 115.30' TO A POINT; THENCE
S74°09'18"E, A DISTANCE OF 10.00' TO A POINT;
THENCE S15°50'42"W, A DISTANCE OF 60.00' TO A
POINT; THENCE N74°09'18"W, A DISTANCE OF 24.96' TO
A POINT; THENCE S15°50'42"W, A DISTANCE OF 120.00'
TO A POINT; THENCE S74°09'18"E, A DISTANCE OF
12.28' TO A POINT; THENCE S15°50'42"W, A DISTANCE
OF 119.60' TO A POINT; THENCE S74°14'20"E, A
DISTANCE OF 19.29' TO A POINT; THENCE S15°50'42"W, A
DISTANCE OF 60.00' TO A POINT; THENCE
N74°14'20"W, A DISTANCE OF 20.46' TO A POINT; THENCE S15°50'42"W, A DISTANCE OF 12.28' TO A
POINT; THENCE N74°09'18"W, A DISTANCE OF
103.01' TO THE NORTHEAST CORNER
OF OUTLOT "B", VILLAGE MEADOWS 6TH ADDITION,
SAID POINT BEING A SOUTH CORNER OF SAID LOT 89
I.T.; THENCE N63°09'20"W, ON A NORTH LINE OF SAID
OUTLOT "B", SAID LINE BEING A SOUTH LINE OF SAID
LOT 89 I.T., A DISTANCE OF 21.08' TO A POINT
OF CURVATURE OF A NON TANGENT CURVE IN A
COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL
ANGLE OF 01°10'22", A RADIUS OF 1,030.00', AN ARC
LENGTH OF 21.08' ON A WEST LINE OF SAID LOT 89 I.T.,
SAID LINE BEING A EAST LINE OF SAID OUTLOT "B", A
CHORD LENGTH OF 21.08', A TANGENT LENGTH OF
10.54', AND A CHORD BEARING OF N26°15'29"E TO A
POINT; THENCE N64°19'42"W, ON A SOUTH LINE OF
SAID LOT 89 I.T., SAID LINE BEING A NORTH LINE OF
SAID OUTLOT "B", A DISTANCE OF 60.00' TO A POINT
OF CURVATURE OF A NON TANGENT CURVE IN A
CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE
OF 00°35'26", A RADIUS OF 970.00', AN ARC LENGTH OF
10.00' ON A EAST LINE OF SAID LOT 89 I.T., SAID LINE
BEING A WEST LINE OF SAID OUTLOT "B", A CHORD
LENGTH OF 10.00', A TANGENT LENGTH OF 5.00', AND A
CHORD BEARING OF S25°58'01"W TO A POINT; THENCE
N63°44'16"W, ON A SOUTH LINE OF SAID LOT 89 I.T.,
SAID LINE BEING A NORTH LINE OF SAID OUTLOT "B", A
DISTANCE OF 130.00' TO THE NORTHWEST CORNER
OF SAID OUTLOT "B", SAID POINT BEING ON A EAST
LINE OF LOT 2, BLOCK 2, VILLAGE MEADOWS 6TH
ADDITION, AND AN EAST LINE OF OUTLOT "A", VILLAGE
MEADOWS 6TH ADDITION; THENCE N23°57'027"E, ON A
WEST LINE OF SAID LOT 89 I.T., SAID LINE BEING A
EAST LINE OF SAID LOT 2, A DISTANCE OF 67.57' TO A
POINT; THENCE N19°35'05"E, ON A WEST LINE OF SAID
LOT 89 I.T., SAID LINE BEING A EAST LINE OF SAID
OUTLOT "A", A DISTANCE OF 60.62' TO A POINT;
THENCE N15°26'56"E, ON A WEST LINE OF SAID LOT 89
I.T., SAID LINE BEING A EAST LINE OF SAID OUTLOT
"A", A DISTANCE OF 60.62' TO A POINT; THENCE
N12°53'36"E, ON A WEST LINE OF SAID LOT 89 I.T., SAID
LINE BEING A EAST LINE OF SAID OUTLOT "A", A
DISTANCE OF 691.11' TO A POINT OF CURVATURE OF A
NON TANGENT CURVE IN A COUNTER CLOCKWISE
DIRECTION HAVING A CENTRAL ANGLE OF 01°04'52", A
RADIUS OF 530.00', AN ARC LENGTH OF 10.00' ON A
NORTH LINE OF SAID LOT 89 I.T., SAID LINE BEING A
SOUTH LINE OF SAID OUTLOT "A", A CHORD LENGTH
OF 10.00', A TANGENT LENGTH OF 5.00', AND A CHORD
BEARING OF S67°28'37"E TO A POINT; THENCE
N21°58'57"E, ON A WEST LINE OF SAID LOT 89 I.T., SAID
LINE BEING A EAST LINE OF SAID OUTLOT "A", A
DISTANCE OF 60.00' TO A POINT OF CURVATURE OF A
NON TANGENT CURVE IN A CLOCKWISE DIRECTION
HAVING A CENTRAL ANGLE OF 04°55'23", A RADIUS OF
470.00', AN ARC LENGTH OF 40.38' ON A SOUTH LINE
OF SAID LOT 89 I.T., SAID LINE BEING A NORTH LINE
OF SAID OUTLOT "A", A CHORD LENGTH OF 40.37', A
TANGENT LENGTH OF 20.20', AND A CHORD BEARING
OF N65°33'21"W TO A POINT; THENCE N26°54'20"E, ON
A WEST LINE OF SAID LOT 89 I.T., SAID LINE BEING A
EAST LINE OF SAID OUTLOT "A", A DISTANCE OF
145.02' TO THE POINT OF BEGINNING, SAID TRACT
CONTAINS A CALCULATED AREA 399,213.37 SQUARE FEET OR 9.16 ACRES, MORE OR LESS.

TOGETHER WITH THE FOLLOWING

PARCEL 2

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

BEGINNING AT THE SOUTHEAST CORNER OF LOT 92 I.T., SAID POINT BEING THE SOUTHWEST CORNER OF LOT 90 I.T., SAID POINT BEING 50.00' NORTH OF THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 9 NORTH, RANGE 7 EAST, SAID POINT BEING ON A NORTH RIGHT-OF-WAY LINE OF YANKEE HILL ROAD; THENCE S89°51'31"W, ON THE SOUTH LINE OF SAID LOT 92 I.T., AND A SOUTH LINE OF LOT 93 I.T., SAID LINE BEING ON A NORTH LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING 50.00' NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 884.55' TO A POINT; THENCE S89°51'10"W, ON A SOUTH LINE OF SAID LOT 93 I.T., SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, SAID LINE BEING 50.00' NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 21, A DISTANCE OF 39.64' TO THE SOUTHWEST CORNER OF SAID LOT 93 I.T.; THENCE N00°16'08"E, ON A WEST LINE OF SAID LOT 93 I.T., SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, AND AN EAST LINE OF OUTLOT "A", VILLAGE MEADOWS 2ND ADDITION, A DISTANCE OF 68.91' TO A POINT; THENCE N89°43'38"W, ON A SOUTH LINE OF SAID LOT 93 I.T., SAID LINE BEING A NORTH LINE OF SAID OUTLOT "A", A DISTANCE OF 90.25' TO A POINT; THENCE N00°16'14"E, ON A WEST LINE OF SAID LOT 93 I.T., SAID LINE BEING A EAST LINE OF SAID OUTLOT "A", AND AN EAST LINE OF LOT 4, BLOCK 3, VILLAGE MEADOWS 2ND ADDITION, A DISTANCE OF 120.00' TO THE SOUTHWEST CORNER OF OUTLOT "B", VILLAGE MEADOWS 2ND ADDITION; THENCE S89°43'38"E, ON A NORTH LINE OF SAID LOT
93 I.T., SAID LINE BEING THE SOUTH LINE OF SAID OUTLOT "B", A DISTANCE OF 8.49' TO THE SOUTHEAST CORNER OF SAID OUTLOT "B"; THENCE N00°00'05"E, ON A WEST LINE OF SAID LOT 93 I.T., SAID LINE BEING THE EAST LINE OF SAID OUTLOT "B", THE EAST RIGHT-OF-WAY LINE OF CHATSWORTH LANE, THE EAST LINE OF LOT 1, BLOCK 2, VILLAGE MEADOWS 2ND ADDITION, AND AN EAST LINE OF LOT 2, BLOCK 2, VILLAGE MEADOWS 2ND ADDITION, A DISTANCE OF 216.65' TO A POINT; THENCE N08°37'50"E, ON A WEST LINE OF SAID LOT 93 I.T., SAID LINE BEING A EAST LINE OF SAID OUTLOT "B", AN EAST LINE OF LOT 2, BLOCK 2, VILLAGE MEADOWS 2ND ADDITION, AND AN EAST LINE OF OUTLOT "C", VILLAGE MEADOWS 2ND ADDITION, A DISTANCE OF 138.75' TO A POINT; THENCE N23°21'37"E, ON WEST LINE OF SAID LOT 93 I.T., SAID LINE BEING A EAST LINE OF SAID OUTLOT "C", A DISTANCE OF 243.52' TO THE NORTHEAST CORNER OF SAID OUTLOT "C"; THENCE N60°32'27"W, ON A SOUTH LINE OF SAID LOT 93 I.T., SAID LINE BEING A NORTH LINE OF SAID OUTLOT "C", A DISTANCE OF 63.04' TO THE NORTHWEST CORNER OF SAID OUTLOT "C", SAID POINT BEING THE SOUTHEAST CORNER OF LOT 3, BLOCK 5, VILLAGE MEADOWS 6TH ADDITION; THENCE N26°49'28"E, ON A WEST LINE OF SAID LOT 93 I.T., SAID LINE BEING THE EAST LINE OF SAID LOT 3, AND THE EAST LINE OF LOTS 2 AND 1, BLOCK 5, VILLAGE MEADOWS 6TH ADDITION, A DISTANCE OF 205.95' TO THE SOUTHWEST CORNER OF OUTLOT "D", VILLAGE MEADOWS 6TH ADDITION; THENCE S59°58'29"E, ON A NORTH LINE OF SAID LOT 93 I.T., SAID LINE BEING THE SOUTH LINE OF SAID OUTLOT "D", A DISTANCE OF 10.00' TO A POINT; THENCE N30°01'31"E, ON A WEST LINE OF SAID LOT 93 I.T., SAID LINE BEING THE EAST LINE OF SAID OUTLOT "D", THE EAST LINE OF BRIDLE LANE RIGHT-OF-WAY, AND THE EAST LINE OF OUTLOT "C", VILLAGE MEADOWS 6TH ADDITION, A DISTANCE OF 72.00' TO A POINT; THENCE N59°58'29"W, ON A SOUTH LINE OF SAID LOT 93 I.T., SAID LINE BEING THE NORTH LINE OF SAID OUTLOT "C", A DISTANCE OF 22.67' TO THE NORTHWEST CORNER OF SAID OUTLOT "C", SAID POINT BEING ON THE EAST LINE OF LOT 6, BLOCK 3, VILLAGE MEADOWS 6TH ADDITION; THENCE N30°01'31"E, ON A WEST LINE OF SAID LOT 93 I.T., SAID LINE BEING THE EAST LINE OF SAID LOT 6, A DISTANCE OF 120.00' TO THE NORTHWEST CORNER
OF SAID LOT 93 I.T., SAID POINT BEING THE
NORTHWEST CORNER OF SAID LOT 6, SAID POINT
BEING ON A SOUTH LINE OF LOT 89 I.T.; THENCE
N59°58'27"W, ON A SOUTH LINE OF SAID LOT 89 I.T.,
SAID LINE BEING A NORTH LINE OF SAID LOT 6, A
DISTANCE OF 2.08' TO A SOUTHWEST CORNER OF
SAID LOT 89 I.T., SAID POINT BEING THE MOST
SOUTHERN CORNER OF OUTLOT "B", VILLAGE MEADOWS 6TH ADDITION; THENCE N31°02'56"E, ON A
WEST LINE OF SAID LOT 89 I.T., SAID LINE BEING A
EAST LINE OF SAID OUTLOT "B", A DISTANCE OF
124.80' TO A POINT; THENCE S58°57'04"E, ON A NORTH
LINE OF SAID LOT 89 I.T., SAID LINE BEING A SOUTH
LINE OF SAID OUTLOT "B", A DISTANCE OF 44.03' TO A
POINT; THENCE N31°02'56"E, ON A WEST LINE OF SAID
LOT 89 I.T., SAID LINE BEING A EAST LINE OF SAID
OUTLOT "B", A DISTANCE OF 60.00' TO A POINT;
THENCE N58°57'04"W, ON A SOUTH LINE OF SAID LOT
89 I.T., SAID LINE BEING A NORTH LINE OF SAID
OUTLOT "B", A DISTANCE OF 10.00' TO A POINT;
THENCE S31°02'56"E, ON A WEST LINE OF SAID LOT 89
I.T., SAID LINE BEING A EAST LINE OF SAID OUTLOT "B", A
DISTANCE OF 95.70' TO A POINT; THENCE
N20°44'16"E, ON A WEST LINE OF SAID LOT 89 I.T., SAID
LINE BEING A EAST LINE OF SAID OUTLOT "B", A
DISTANCE OF 17.05' TO THE NORTHEAST CORNER OF
SAID OUTLOT "B"; THENCE S15°50'42"E, A DISTANCE
OF 16.99' TO A POINT; THENCE S74°09'18"E, A
DISTANCE OF 174.46' TO A POINT; THENCE
S59°57'04"E, A DISTANCE OF 55.12' TO A POINT;
THENCE S31°34'34"E, A DISTANCE OF 54.71' TO A
POINT; THENCE S16°49'50"E, A DISTANCE OF 53.50' TO
A POINT; THENCE S02°05'50"W, A DISTANCE OF 41.85'
TO A POINT; THENCE S08°57'42"W, A DISTANCE OF
56.53' TO A POINT; THENCE S15°14'21"W, A DISTANCE
OF 129.58' TO A POINT OF INTERSECTION WITH A
NORTH LINE OF LOT 92 I.T.; THENCE S74°48'32"E, ON A
NORTH LINE OF SAID LOT 92 I.T., A DISTANCE OF 31.00'
TO A POINT; THENCE S75°36'13"E, ON A NORTH LINE
OF SAID LOT 92 I.T., A DISTANCE OF 90.91' TO A POINT;
THENCE N14°23'47"E, ON A WEST LINE OF SAID LOT 92
I.T., A DISTANCE OF 31.28' TO A POINT; THENCE
S75°36'13"E, ON A NORTH LINE OF SAID LOT 92 I.T., A
DISTANCE OF 60.00' TO A POINT; THENCE S14°23'47"W,
ON A EAST LINE OF SAID LOT 92 I.T., A DISTANCE OF
10.00' TO A POINT; THENCE S75°36'13"E, ON A NORTH
LINE OF SAID LOT 92 I.T., A DISTANCE OF 77.79' TO A
POINT; THENCE S87°15'53"E, ON A NORTH LINE OF
SAID LOT 92 I.T., A DISTANCE OF 71.43' TO A POINT;
THENCE N90°00'00"E, ON A NORTH LINE OF SAID LOT
92 I.T., A DISTANCE OF 57.19' TO THE NORTHEAST
CORNER OF SAID LOT 92 I.T.; THENCE S01°11'38"E, ON
A EAST LINE OF SAID LOT 92 I.T., A DISTANCE OF
126.00' TO A POINT OF CURVATURE OF A NON
TANGENT CURVE IN A COUNTER CLOCKWISE
DIRECTION HAVING A CENTRAL ANGLE OF 00°43'12", A
RADIUS OF 1,484.41', AN ARC LENGTH OF 18.65' ON A
NORTH LINE OF SAID LOT 92 I.T., A CHORD LENGTH OF
18.65', A TANGENT LENGTH OF 9.33', AND A CHORD
BEARING OF N88°26'46"E TO A POINT; THENCE
S01°54'50"E, ON A EAST LINE OF SAID LOT 92 I.T., A
DISTANCE OF 60.00' TO A POINT OF CURVATURE OF A
NON TANGENT CURVE IN A CLOCKWISE DIRECTION
HAVING A CENTRAL ANGLE OF 00°20'35", A RADIUS OF
1,544.41', AN ARC LENGTH OF 9.25' ON A SOUTH LINE
OF SAID LOT 92 I.T., A CHORD LENGTH OF 9.25', A
TANGENT LENGTH OF 4.62', AND A CHORD BEARING
OF S88°15'28"W TO A POINT; THENCE S05°13'31"W, ON
A EAST LINE OF SAID LOT 92 I.T., A DISTANCE OF
270.96' TO A POINT; THENCE S00°08'30"E, ON A EAST
LINE OF SAID LOT 92 I.T., A DISTANCE OF 476.08' TO
THE POINT OF BEGINNING, SAID TRACT CONTAINS A
CALCULATED AREA 1,079,264.94 SQUARE FEET OR
24.78 ACRES, MORE OR LESS.

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

Section 2. The Amended Development Plan for the Village Gardens Planned
Unit Development dated May 13, 2014, attached hereto and marked as Attachment “A”
and incorporated herein by reference, as if fully set forth herein verbatim, be and the
same is hereby approved, upon condition that operation of said Planned Unit
Development be in strict compliance with said Amended Development Plan, the site
plan, and the following express terms, conditions and requirements;

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

2. The City Council approves Annexation No. 14003.

3. Before receiving building permits:

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

i. Revise the site plans as follows:

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

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

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

(4) Delete the ‘Previously Requested Waivers’ table
shown on Sheet 1 of 11, they are no longer
applicable.

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

(6) Revise the grading and drainage plans to the
satisfaction of Public Works and Utilities.
(7) Modify the note on Sheet 1 of 11 near where the intersection of South 65th Street and Yankee Hill Road would be located to state “Potential South 65th Street intersection.”

(8) Make corrections noted by the L.E.S. review.

ii. Update the exhibits in the Development Plan to match the current plan.

iii. The construction plans comply with the approved plans.

iv. Final plat(s) is/are approved by the City.

b. Final plans for CZ#04075E must be submitted and approved by the City.

4. Before occupying the buildings all development and construction must substantially comply with the approved plans.

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

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

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

8. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the change of zone, provided, however, said 60-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the ordinance
approving the change of zone and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building permits will not be issued unless the letter of acceptance has been filed.

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

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

Introduced by:

______________________________

Approved as to Form & Legality:

______________________________
City Attorney

Approved this ___ day of _______, 2014:

______________________________
Mayor