

FACTSHEET

TITLE: CHANGE OF ZONE NO. 10018A,
Amendment to the Nebraska Innovation Campus
Planned Unit Development (PUD)

BOARD/COMMITTEE: Planning Commission

APPLICANT: Nebraska Nova, LLC

RECOMMENDATION: Conditional Approval (6-0: Beecham, Cornelius, Corr, Hove, Weber and Lust voting 'yes'; Scheer declared a conflict of interest; Harris and Sunderman absent).

STAFF RECOMMENDATION: Conditional Approval

OTHER DEPARTMENTS AFFECTED: N/A

SPONSOR: Planning Department

OPPONENTS: None - Consent Agenda

REASON FOR LEGISLATION:

To amend the existing Nebraska Innovation Campus Planned Unit Development by amending the PUD Notes and revising the boundary of the PUD by: 1) deleting land from the PUD by changing the zoning from O-3 Office Park District PUD to P Public Use District, and 2) adding land to the PUD by changing the zoning from P Public Use District to O-3 Office Park District PUD, on property generally located at North Antelope Valley Parkway and Salt Creek Roadway.

DISCUSSION / FINDINGS OF FACT:

1. The amended boundary reflects a recent property exchange with the City. The PUD notes are also being amended: 1) to submit the Transportation Demand Management Strategies report every two years; 2) to allow recreational facilities in outlots designated as open space; and 3) to modify the trees next to greenhouses in the parking lot. The amended PUD notes are found on p.16-20.
2. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.3-4, concluding that the revised boundary conforms to the ownership of the Board of Regents for Nebraska Innovation Campus. The revised PUD notes are acceptable. Submitting a report on Transportation Demand Strategies every 2 years instead of every year will allow enough time to study traffic patterns. The shorter street trees next to greenhouses will eliminate shading from the trees to the greenhouses.
3. On August 20, 2014, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
4. On August 20, 2014, the Planning Commission agreed with the staff recommendation and voted 6-0 to recommend conditional approval as set forth in the staff report. The conditions are found on p.4-5.

FACTSHEET PREPARED BY: Jean Preister, Administrative Officer

DATE: September 2, 2014

REVIEWED BY: Marvin Krout, Director of Planning

DATE: September 2, 2014

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for AUGUST 20, 2014 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No.10018A Nebraska Innovation Campus Planned Unit Development (PUD)

PROPOSAL: An amendment to the Nebraska Innovation Campus Planned Unit Development, amending the PUD Notes and revising the boundary of the PUD to: 1) delete land from the PUD by changing the zoning from O-3 Office Park District PUD to P Public Use, and; 2) adding land to the PUD by changing the zoning from P Public Use District to O-3 Office Park District PUD.

LOCATION: N. Antelope Valley Parkway and Salt Creek Roadway

LAND AREA: 162.57 acres, more or less

EXISTING ZONING: O-3 Office Park District and P Public Use District

CONCLUSION: The revised boundary conforms to the ownership of the Board of Regents for Nebraska Innovation Campus. The revised PUD notes are acceptable. Submitting a report on Transportation Demand Strategies every 2 years instead of every year will allow enough time to study traffic patterns. The shorter street trees next to greenhouses will eliminate shading from the trees to the greenhouses.

RECOMMENDATION:

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached

EXISTING LAND USE: Office and undeveloped

SURROUNDING LAND USE AND ZONING:

North:	I-1, Industrial P, Public	Light industrial Theresa St. Waste Water Treatment Plant
South:	I-1, Industrial	Salt Creek Roadway, Burlington Northern Santa Fe Railroad corridor. Residential south of railroad corridor.
East:	I-1, Industrial	Light industrial
West:	P, Public R-2, Residential I-1, Industrial	Nebraska National Guard Single family residential Auto sales and light industrial

HISTORY:

- November 8, 2010 CZ#10018 Nebraska Innovation Campus PUD was approved by the City Council.
- October 7, 2013 Nebraska Innovation Campus Addition final plat was approved by the Planning Director.
- May 2, 2014 Nebraska Innovation Campus 1st Addition was approved by the Planning Director.

COMPREHENSIVE PLAN SPECIFICATIONS:

Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities. (p.5.2)

Public and private investment in Lincoln is evident in the Downtown, Antelope Valley, Innovation Campus, and West Haymarket projects. All of these assets should be emphasized to encourage economic development. (p.5.2)

Continue to support UNL’s efforts to obtain grants for research and support the expansion of the mixed use concept of Innovation Campus. The success of the University’s research and development is important to the future of the city. (p.5.3)

UTILITIES: All utilities are available

TRAFFIC ANALYSIS:

North Antelope Valley Parkway and Salt Creek Roadway are classified as minor arterial. New public streets are proposed throughout Innovation Campus.

ANALYSIS:

1. This request is to amend the boundary of the PUD and a change of zone from P-Public to O-3 Office Park and from O-3 Office Park to P-Public.
2. The amended boundary reflects a recent property exchange with the City. The 4.3 acre parcel changing from O-3 to P is now owned by the City and no longer a part of the PUD. The 6.1 acre parcel changing from P to O-3 is owned by the Board of Regents of the University of Nebraska and is within the limits of the PUD.
3. In addition to the revised boundary, the PUD notes are being amended. Currently the Nebraska Innovation Campus Development Corporation (NICDC) is responsible for submitting the Transportation Demand Management Strategies report annually to the Planning Department. The Transportation Demand Management Strategies is the application of strategies and policies to reduce travel demand (specifically that of single-occupancy vehicles), or to redistribute this demand in time. The NICDC is requesting that the report be submitted biennially (every two years) to better reflect traffic impacts. There is little change in one year, so every two years is more appropriate.

4. Other changes to the PUD notes are to allow recreational facilities in outlots designated as open space and to waive parking lot trees next to green houses due to shading from the trees to the greenhouses. The street trees were discussed at Urban Design Committee (UDC) in May of this year. The UDC agreed to allow street trees that would be no taller than 12 feet. The developer will work with the Parks & Recreation Department in selecting street trees near greenhouses that will not cast a shadow on a greenhouse.

CONDITIONS OF APPROVAL:

This approval permits 2 million sq. ft. of commercial floor area, 250 dwelling units and 200 hotel rooms.

Site Specific Conditions:

1. Before receiving building permits, the developer shall provide the following documents to the Planning Department:
 - 1.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the planned unit development has been recorded.
2. Prior to the issuance of a building permit:
 - 2.1. The construction plans must substantially comply with the approved plans.

Standard Conditions:

3. The following conditions are applicable to all requests:
 - 3.1 Before occupying the dwelling units/buildings all development and construction shall substantially comply with the approved plans.
 - 3.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 3.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
 - 3.4 The terms, conditions, and requirements of the ordinance shall run with the land and be binding upon the developer, its successors and assigns.
 - 3.5 The applicant 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 special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees

therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

- 3.6 The site plan as approved with this ordinance voids and supersedes all previously approved site plans, however all ordinances approving previous permits remain in full force and effect unless specifically amended by this ordinance.

Prepared by:

Tom Cajka
Planner

DATE: August 5, 2014

APPLICANT: Nebraska Nova, LLC
728 "Q" Street, Suite C
Lincoln, NE 68508

OWNER: Board of Regents of the University of Nebraska
1901 "Y" Street
Lincoln, NE 68588

CONTACT: Tim Gergen
Clark Enersen Partners
1010 Lincoln Mall, Suite 200
Lincoln, NE 68508
402-477-9291

CHANGE OF ZONE NO. 10018A

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

August 20, 2014

Members present: Beecham, Cornelius, Corr, Hove, Scheer, Weber and Lust; Harris and Sunderman absent.

The Consent Agenda consisted of the following item: **CHANGE OF ZONE NO. 10018A, Amendment to the Nebraska Innovation Campus Planned Unit Development.**

There were no ex parte communications disclosed.

Hove moved approval, seconded by Cornelius and carried 6-0: Beecham, Cornelius, Corr, Hove, Weber and Lust voting 'yes'; Scheer declared a conflict of interest; Harris and Sunderman absent.



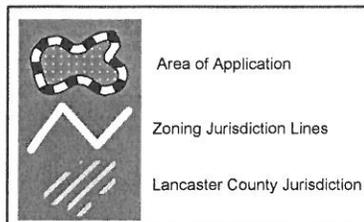
Change of Zone #: CZ10018A
Nebraska Innovation Campus
N Antelope Valley Prkwy & Salt Creek Rdwy

2013 aerial

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile:
 Sec. 13 T10N R06E



LEGAL DESCRIPTION
P to O-3 Zoning

A TRACT OF LAND COMPOSED OF A PORTION OF OUTLOT A, NEBRASKA INNOVATION CAMPUS 1ST ADDITION, LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 10 NORTH, RANGE 6 EAST, SAID POINT ALSO BEING **THE TRUE POINT OF BEGINNING**; THENCE NORTHERLY ON THE WEST LINE OF SAID NORTHEAST QUARTER, ON AN ASSUMED BEARING OF N00°14'29"E, A DISTANCE OF 386.84' TO A POINT; THENCE S89°45'31"E, A DISTANCE OF 469.63' TO A POINT; THENCE S12°19'13"E, A DISTANCE OF 407.19' TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE N88°40'15"W, ON THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 558.29' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 201,291.37 SQUARE FEET OR 4.62 ACRES, MORE OR LESS.

TOGETHER WITH:

A TRACT OF LAND COMPOSED OF A PORTION OF OUTLOT A, NEBRASKA INNOVATION CAMPUS 1ST ADDITION, LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 10 NORTH, RANGE 6 EAST; THENCE NORTHERLY ON THE WEST LINE OF SAID NORTHEAST QUARTER, ON AN ASSUMED BEARING OF N00°14'29"E, A DISTANCE OF 386.84' TO A POINT; THENCE S89°45'31"E, A DISTANCE OF 469.63' TO A POINT; THENCE S12°19'13"E, A DISTANCE OF 407.19' TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE S88°40'15"E, ON THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 16.36' TO **THE TRUE POINT OF BEGINNING**; SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION, HAVING A CENTRAL ANGLE OF 08°04'02", A RADIUS OF 600.00', AN ARC LENGTH OF 84.48', A CHORD LENGTH OF 84.41', A TANGENT LENGTH OF 42.31', AND A CHORD BEARING OF N72°45'44"E TO A POINT; THENCE N12°19'13"W, A DISTANCE OF 208.59' TO A POINT; THENCE N90°00'00"E, A DISTANCE OF 296.16' TO A POINT OF INTERSECTION WITH THE SOUTHWEST CORNER OF LOT 211 I.T.; THENCE S00°16'51"W, A DISTANCE OF 236.48', SAID POINT ALSO BEING ON THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE N88°40'15"W, ON THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 331.20' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 64,348.43 SQUARE FEET OR 1.48 ACRES, MORE OR LESS.

LEGAL DESCRIPTION
O-3 to P Zoning

A TRACT OF LAND COMPOSED OF LOT 211 I.T., LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

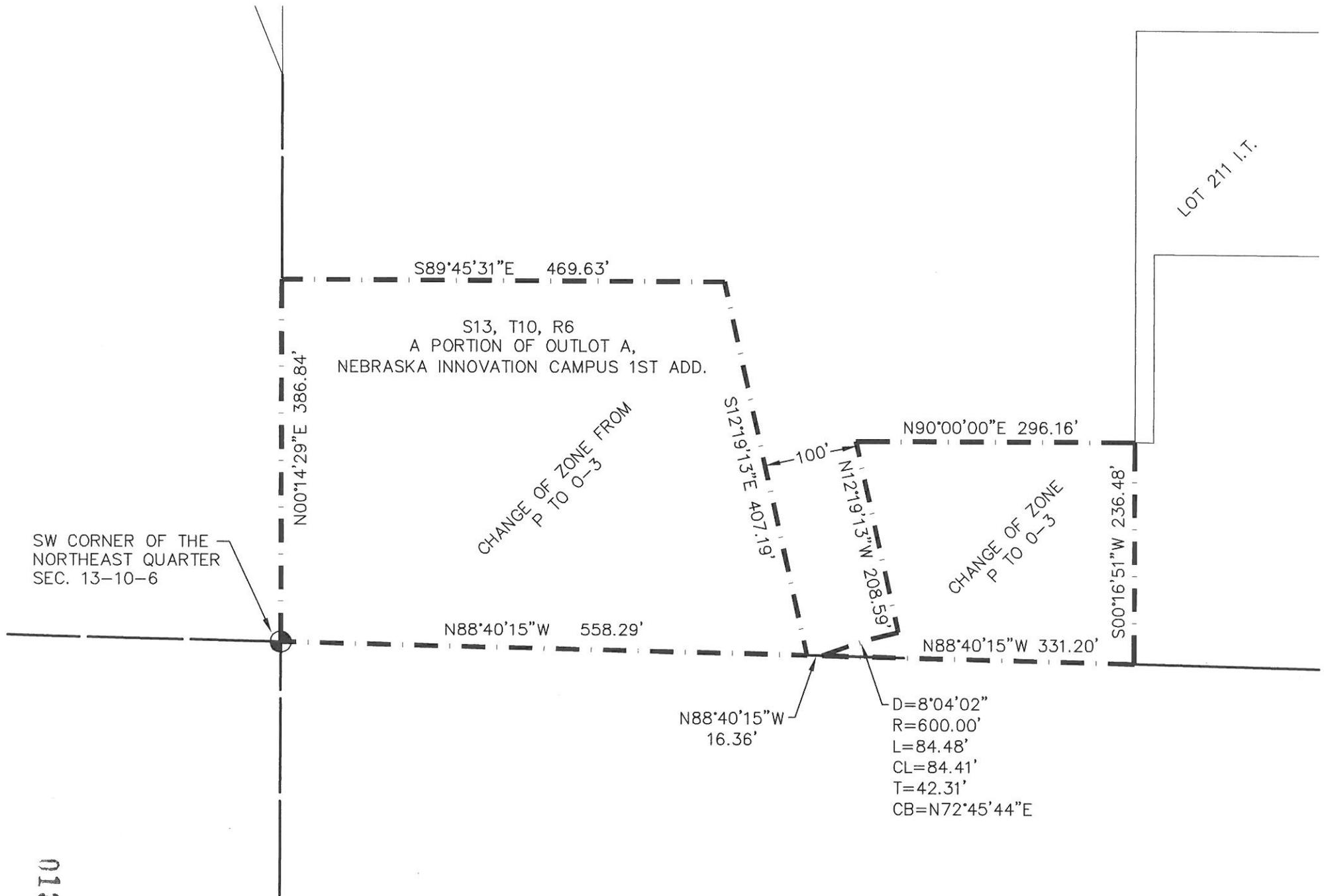
COMMENCING AT THE NORTHWEST CORNER OF LOT 211 I.T., SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE S89°47'30"E, ON THE NORTH LINE OF SAID LOT 211 I.T., A DISTANCE OF 828.04' TO THE NORTHEAST CORNER OF SAID LOT 211 I.T.; THENCE S00°16'51"W, ON A EAST LINE OF SAID LOT 211 I.T., A DISTANCE OF 222.04' TO A POINT; THENCE N89°47'43"W, A DISTANCE OF 808.09' TO A POINT; THENCE S00°18'27"W, A DISTANCE OF 214.71' TO A POINT; THENCE S90°00'00"W, A DISTANCE OF 19.86' TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID LOT 211 I.T.; THENCE N00°16'51"E, ON THE WEST LINE OF SAID LOT 211 I.T., A DISTANCE OF 436.87' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 188,153.10 SQUARE FEET OR 4.32 ACRES, MORE OR LESS.

PUD LEGAL DESCRIPTION

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF OUTLOTS "E" AND "F", ANTELOPE VALLEY 1ST ADDITION, LOTS 1, 2 AND OUTLOT "C", NEBRASKA INNOVATION CAMPUS ADDITION, LOTS 1, 2 AND OUTLOTS "A", "B" AND "C", NEBRASKA INNOVATION CAMPUS 1ST ADDITION, LOT 212 I.T., AND A PORTION OF LOT 209 I.T., ALL LOCATED IN SECTION 13, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 13, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 45 I.T.; THENCE S88°40'15"E ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, SAID LINE BEING THE NORTH LINE OF SAID LOT 45 I.T., A DISTANCE OF 558.29' TO **THE TRUE POINT OF BEGINNING**; THENCE CONTINUING S88°40'15"E ALONG SAID LINE, A DISTANCE OF 16.36' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 08°04'02", A RADIUS OF 600.00', AN ARC LENGTH OF 84.48', A TANGENT LENGTH OF 42.31', A CHORD LENGTH OF 84.41', AND A CHORD BEARING OF N72°45'44"E TO A POINT; THENCE N12°19'13"W, A DISTANCE OF 208.59' TO A POINT; THENCE N90°00'00"E, A DISTANCE OF 316.02' TO A POINT; THENCE N00°18'27"E, A DISTANCE OF 214.71' TO A POINT; THENCE S89°47'43"E, A DISTANCE OF 808.09' TO A POINT OF INTERSECTION WITH A EAST LINE OF LOT 104 I.T.; THENCE S00°16'51"W ALONG A EAST LINE OF SAID LOT 104 I.T., A DISTANCE OF 267.23' TO A EAST CORNER OF SAID LOT 104 I.T.; THENCE S42°08'27"E ALONG A NORTHEAST LINE OF SAID LOT 104 I.T., A DISTANCE OF 232.44' TO THE MOST EASTERN CORNER OF SAID LOT 104 I.T., SAID POINT BEING ON THE NORTHWEST LINE OF SAID LOT 79 I.T.; THENCE N55°23'08"E ALONG THE NORTHWEST LINE OF SAID LOT 79 I.T., A DISTANCE OF 870.55' TO THE NORTHEAST CORNER OF SAID LOT 79 I.T., SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF NORTH 27TH STREET, SAID POINT BEING 33.00' WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13; THENCE S00°16'51"W ALONG THE EAST LINE OF SAID LOT 79 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, SAID LINE ALSO BEING 33.00' WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 46.27' TO THE SOUTHEAST CORNER OF SAID LOT 79 I.T., SAID POINT BEING ON THE NORTHWEST RIGHT-OF-WAY LINE OF SALT CREEK ROADWAY; THENCE S55°21'51"W ALONG A SOUTHEAST LINE OF SAID LOT 79 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 59.82' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 17°07'33", A RADIUS OF 140.00', AN ARC LENGTH OF 41.85' ALONG A SOUTHEAST LINE OF SAID LOT 79 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A TANGENT LENGTH OF 21.08', A CHORD LENGTH OF 41.69', AND A CHORD BEARING OF S64°02'49"W TO A POINT OF REVERSE CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 17°17'28", A RADIUS OF 160.00', AN ARC LENGTH OF 48.29' ALONG A SOUTHEAST LINE OF SAID LOT 79 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A TANGENT LENGTH OF 24.33', A CHORD DISTANCE OF 48.10', AND A CHORD BEARING OF S63°57'52"W TO A POINT; THENCE S55°19'08"W ALONG A SOUTHEAST LINE OF SAID LOT 79 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 632.42' TO THE NORTHEAST CORNER OF SAID OUTLOT "F"; THENCE S55°36'17"W ALONG THE SOUTHEAST LINE OF SAID OUTLOT "F", SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 279.51' TO THE MOST SOUTHERN CORNER OF SAID OUTLOT "F", SAID POINT BEING A SOUTHEAST CORNER OF SAID LOT 45 I.T.; THENCE S48°28'34"W ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 11.70' TO A POINT; THENCE S55°19'08"W ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 418.48' TO A POINT; THENCE S64°30'55"W ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 68.83' TO A POINT; THENCE S55°19'08"W ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 200.54' TO A POINT; THENCE S59°07'59"W ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 61.80' TO A SOUTH CORNER OF SAID LOT 45 I.T., SAID POINT BEING A NORTHEAST CORNER OF SAID OUTLOT "E"; THENCE S50°59'27"W ALONG THE SOUTHEAST LINE OF SAID OUTLOT "E", SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 145.76' TO THE SOUTHWEST CORNER OF SAID OUTLOT "E", SAID POINT BEING A SOUTH CORNER OF SAID LOT 45 I.T.; THENCE S51°30'17"W ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE ALSO BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 61.79' TO A POINT; THENCE S55°19'08"W ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 68.70' TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 04°00'00", A RADIUS OF 2,052.50', AN ARC LENGTH OF 143.29' ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE

OF SAID RIGHT-OF-WAY, A TANGENT LENGTH OF 71.68', A CHORD DISTANCE OF 143.26', AND A CHORD BEARING OF S53°19'08"W TO A POINT; THENCE S51°19'08"W ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 232.35' TO A POINT; THENCE S60°35'31"W ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 68.27' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 03°54'55", A RADIUS OF 1,936.50', AN ARC LENGTH OF 132.33' ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A TANGENT LENGTH OF 66.19', A CHORD LENGTH OF 132.30', AND A CHORD BEARING OF S53°20'27"W TO A POINT; THENCE S55°19'08"W ALONG A SOUTHEAST LINE OF SAID LOT 45 I.T., AND THE SOUTHEAST LINE OF SAID OUTLOT "D", SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 470.85' TO A POINT; THENCE S38°22'22"W ALONG A SOUTHEAST LINE OF SAID OUTLOT "D", SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 51.46' TO THE SOUTHWEST CORNER OF SAID OUTLOT "D", SAID POINT BEING A SOUTHEAST CORNER OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID POINT BEING ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 13; THENCE S55°19'08"W ALONG A SOUTHEAST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 910.12' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 02°51'22", A RADIUS OF 1,014.00', AN ARC LENGTH OF 50.54' ALONG A SOUTHEAST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A TANGENT LENGTH OF 25.28', A CHORD LENGTH OF 50.54', AND A CHORD BEARING OF S56°46'44"W TO A POINT; THENCE S58°12'25"W ALONG A SOUTHEAST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 306.83' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 02°53'17", A RADIUS OF 986.00', AN ARC LENGTH OF 49.70' ALONG A SOUTHEAST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A TANGENT LENGTH OF 24.86', A CHORD LENGTH OF 49.70', AND A CHORD BEARING OF S56°45'45"W TO A POINT; THENCE S55°19'09"W ALONG A SOUTHEAST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 83.48' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 12°10'28", A RADIUS OF 986.00', AN ARC LENGTH OF 209.51' ALONG A SOUTHEAST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING A NORTHWEST LINE OF SAID RIGHT-OF-WAY, A TANGENT LENGTH OF 105.15', A CHORD LENGTH OF 209.12', AND A CHORD BEARING OF S49°13'54"W TO A POINT; THENCE N05°48'52"W, A DISTANCE OF 132.46' TO A POINT; THENCE S85°05'09"W, A DISTANCE OF 46.61' TO A POINT; THENCE N05°35'52"W, A DISTANCE OF 105.07' TO A POINT; THENCE N49°17'46"W, A DISTANCE OF 22.47' TO A POINT; THENCE N00°00'00"E, A DISTANCE OF 566.98' TO A POINT; THENCE N45°00'00"W, A DISTANCE OF 28.40' TO A POINT; THENCE S89°30'06"W, A DISTANCE OF 633.38', TO A POINT; THENCE S66°41'53"W, A DISTANCE OF 140.39' TO A POINT OF INTERSECTION WITH A EAST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID POINT BEING ON THE EAST LINE OF OUTLOT "A", BLOCK 2, ANTELOPE VALLEY 1ST ADDITION; THENCE N02°42'05"W ALONG A WEST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING A EAST LINE OF SAID OUTLOT "A", A DISTANCE OF 307.55' TO A POINT; THENCE N06°19'29"W ALONG A WEST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING THE EAST LINE OF SAID OUTLOT "A", A DISTANCE OF 400.00' TO A POINT; THENCE N00°29'49"E ALONG A WEST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING A EAST LINE OF SAID OUTLOT "A", A DISTANCE OF 31.46' TO A POINT; THENCE N08°55'45"E ALONG A WEST LINE OF THE REMAINING PORTION OF SAID LOT 75 I.T., SAID LINE BEING A EAST LINE OF SAID OUTLOT "A", A DISTANCE OF 42.79' TO A POINT; THENCE N31°36'39"E, A DISTANCE OF 1,330.11' TO A POINT; THENCE S55°50'34"E, A DISTANCE OF 20.02' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 31°35'16", A RADIUS OF 1,146.28', AN ARC LENGTH OF 631.96', A TANGENT LENGTH OF 324.23', A CHORD LENGTH OF 623.98', AND A CHORD BEARING OF N47°54'51"E TO A POINT; THENCE N63°42'29"E, A DISTANCE OF 635.85' TO A POINT OF CURVATURE FOR A CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 14°28'23", A RADIUS OF 1,432.69', AN ARC LENGTH OF 361.90', A TANGENT LENGTH OF 181.92', A CHORD DISTANCE OF 360.94', AND A CHORD BEARING OF N70°56'41"E TO A POINT; THENCE N78°10'53"E, A DISTANCE OF 141.00' TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 00°48'27", A RADIUS OF 1,910.00', AN ARC LENGTH OF 26.92', A TANGENT LENGTH OF 13.46', A CHORD DISTANCE OF 26.92', AND A CHORD BEARING OF N77°46'39"E TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID LOT 71 I.T., SAID POINT BEING ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE S00°14'29"W ALONG THE EAST LINE OF SAID LOT 71 I.T., AND THE EAST LINE OF SAID LOT 14 I.T., SAID LINE BEING THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 822.69' TO A POINT; THENCE S89°45'31"E, A DISTANCE OF 469.63' TO A POINT; THENCE S12°19'13"E, A DISTANCE OF 407.19' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 7,081,548.14 SQUARE FEET OR 162.57 ACRES, MORE OR LESS.



FAIRWAY PARK
ADDITION

S89°47'30"E 828.04'

S13, T10, R6
LOT 211 I.T.

CHANGE OF ZONE FROM O-3 TO P

S00°16'51"W 222.04'

KIMCO INDUSTRIAL PARK

17

N89°47'43"W 808.09'

12

KIMARRA PLACE

N00°16'51"E 436.87'

S00°18'27"W
214.71'

S90°00'00"W
19.86'

ASPHALT

SALT CREEK ROADWAY

014



July 22, 2014

Mr. Marvin Krout
Planning Department, City of Lincoln
County-City Building
555 So. 10th Street
Lincoln, NE 68508

RE: Amendment to the Nebraska Innovation Campus PUD

Dear Mr. Krout:

Enclosed please find the following for the above-mentioned project:

1. Zoning Application
2. Application fee (\$792.00)
3. P.U.D. General Notes (revisions underlined)
4. P.U.D. Plan (Cover Sheet)
5. Change of Zone "O-3 to P" Exhibit with Legal Description

On behalf of the Developer, Nebraska Nova, LLC, 728 Q Street, Suite C, Lincoln, NE 68508, we are requesting an Amendment to the Nebraska Innovation Campus PUD to revise the zoning boundary limits to reflect the recent property exchange with the City of Lincoln. In addition, the PUD general notes have been revised to update the Transportation Demand Management Strategy submission guidelines, allow recreational facilities in open space outlots, and revise the landscaping requirements surrounding greenhouses due to shading from trees.

Please contact us if you have any questions or require additional information.

Sincerely,



Tim Gergen

cc: Josh Berger, Nebraska Nova, LLC

Architecture + Landscape Architecture + Engineering + Interiors

1010 Lincoln Mall, Suite 200
Lincoln, NE 68508-2883 402 477.9291 Fax 402 477.6542

www.clarkenersen.com
Lincoln, NE | Kansas City, MO | Fairway, KS

**NEBRASKA INNOVATION CAMPUS
PLANNED UNIT DEVELOPMENT**

GENERAL NOTES

July 22, 2014

1. The land within the current PUD is zoned O-3 PUD.
2. Fences, trash enclosures, decorative structures and accessory buildings are not shown. Buildings may be located anywhere on a lot within the building envelope subject to setback or build-to limitations.
3. The total gross floor area is 2 million square feet; provided that, nonretail greenhouses square footage shall not apply towards the 2 million square feet limitation. In addition, it may contain up to 250 dwelling units and up to 200 hotel rooms.
4. Lots may be created without frontage to a public street if they have access to a public or common access easement.
5. Lots may be created with non-perpendicular lot corners.
6. Direct vehicular access to Salt Creek Roadway will be relinquished, except as shown.
7. The Nebraska Innovation Campus Development Corporation (NICDC) shall be responsible for maintenance of all common areas and outlots. The NICDC shall be responsible for developing Transportation Demand Management Strategies and to submit a report biennially (every two years) to the Planning Department of such strategies for review and consultation.
8. The construction of common accessory buildings in outlots is permitted as long as the buildings are in compliance with flood storage requirements and/or storm drainage conveyance. Recreational facilities are permitted in outlots designated as "open space" as long as the recreational facilities are approved by Public Works.
9. Landscaping and screening for parking lots and street trees will follow City design standards. The requirement for screening in required yards, open space areas and around buildings in the O-3 district is waived. The requirement for parking lot shade trees adjacent to greenhouses is waived due to the shading from the trees to the greenhouses. Enhanced landscaping will replace the shade trees. The developer shall work with Parks & Recreation Department in selecting a street tree near greenhouses that will not cast a shadow on a greenhouse. Street trees may be replaced with smaller significant landscape material in lieu of street trees if the smaller street trees still cast a shadow on the greenhouse.
10. Sidewalks will be constructed along both sides of the streets and private roadways.
11. All elevations are based on NAVD 1988.

12. Existing trees within the boundary limits of the PUD are intended to be removed during land preparation.
13. New improvements and the relocation of existing utilities within the Nebraska Innovation Campus PUD will be at the Permittee's expense. In addition, costs associated with the installation of traffic signals and turn lane improvements adjacent to the Nebraska Innovation Campus PUD along the Salt Creek Roadway will be at the Permittee's expense provided that, the warrant for the traffic improvements is a result of the trips generated from the development within the PUD.
14. The allowed uses, sign, height and area, parking and landscaping regulations were altered or eliminated due to another government agency, the University of Nebraska, having jurisdiction over the entire PUD area. If at any time any lot within the boundaries of the PUD ceases to be under the jurisdiction of the University of Nebraska or NICDC, the PUD must be amended to re-establish the appropriate regulations for that property. In addition, if the NICDC ceases to exist, then the University of Nebraska at Lincoln shall be responsible for maintenance of all common areas and outlots or for establishing a successor organization to handle all maintenance.
15. Current regulations permit fill of up to 65% of the flood storage volume in Flood Storage Area #15 and up to 60% of the flood storage volume in Flood Storage Area #17. Grading work for Phase 1 and subsequent phases will be implemented so there is no more than 31% or less fill allowed in Flood Storage Area #15 at any time and 39% or less fill allowed in Flood Storage Area # 17 at any time; which cumulatively could cause a total net rise of approximately 0.02 feet for the 100-year peak flood elevation in the flood storage area model of Salt Creek. The potential total net rise is substantially below the .05 feet total net rise permitted in the City's New Growth Areas. Upon completion of such allowable fill, NICDC or its assigns will apply for a Letter(s) of Map Revision Based on Fill (LOMR-F) and the City will work cooperatively with NICDC or its assigns to amend the Federal Emergency Management Agency (FEMA) designated floodplain map to reflect such allowable fill.
16. Some of the soils for the allowable fill in Note 15 may be removed and relocated from the area within 500 feet of the Salt Creek levee system; provided that the Salt Creek levee system is adequately protected. The City and NICDC or its assigns will work cooperatively to seek the United States Army Corps of Engineers' and Lower Platte South Natural Resource District's concurrence for such soil removal and relocation within 500 feet of the Salt Creek levee system.
17. Nebraska Innovation Campus is a free standing public/private research and technology development center and is not within the boundaries of the University of Nebraska—Lincoln campus.

PERMITTED USES

27.27.020 Use Regulations (a) through (u) as delineated are deleted and replaced with:

Nebraska Innovation Campus is devoted to the research and development of products and methods. As such, a variety of different products and chemicals will be in use on the campus at any one time. This research and development is regulated by several different federal and state agencies. New and renovated buildings will be constructed meeting all fire, health and life safety standards.

Thus, any development, building, and open land uses shall be permitted, except a building solely devoted to the following:

- a. The refining, distillation, or manufacture of:
 1. Acids or alcohols;
 2. Ammonia, bleach, or chlorine;
 3. Asphalt, tar, or products made therewith, including roofing or waterproofing;
 4. Cement, lime, gypsum, or plaster of paris;
 5. Disinfectants;
 6. Dyestuffs;
 7. Fertilizer;
 8. Glue, sizing, or gelatin;
 9. Oilcloth, linoleum, or oiled rubber goods;
 10. Paint, shellac, turpentine, or oils;
 11. Paper or pulp;
 12. Rubber, gutta-percha, balata, creosote, or products treated therewith;
 13. Shoe polish;
- b. The operation of:
 1. Bag cleaning works;
 2. Blast furnaces, coke ovens, smelting or ore reduction works;
 3. Boiler works;
 4. Forge;
 5. Rock crusher;
 6. Rolling mill;
 7. Yeast plant;
- c. Production, manufacture, distribution, or commercial storage of toxic, radioactive, flammable, or explosive materials, including chemicals and gases, fireworks and explosives, arsenals and magazines;
- d. Tanning, curing, or storage of raw hides or skins; stockyards or slaughter of animals or fowl, rendering fat; distillation of bones, coal, or wood;
- e. Dumping or reduction of garbage, offal, or dead animals; scrap processing operation or salvage yard;
- f. Grain elevators and grain mills;
- g. Refining of natural gas or petroleum or their products; or bulk storage thereof not located underground and in full compliance with applicable city regulations;
- h. Brick, tile, pottery, or terra cotta manufacture, other than the manufacture of handicrafts;

- i. The manufacture of acetylene, the transfer of gas from one container to another, or the storage of the gas in containers having a capacity greater than the equivalent of 1,000 cubic feet at standard temperature and pressure;
- j. Excavation and stone milling;
- k. And in general those uses, not limited to the above, which may be obnoxious or offensive or hazardous to health by reason of odor, dust, smoke, gas, glare, radiation, or noise.

In addition, the following uses are prohibited in all or part of any building:

- a. Automobile and truck wash facilities;
- b. Automobile, motorcycle, truck and heavy equipment sales and repair;
- c. Mini-warehouses;
- d. Sexually oriented entertainment establishments;
- e. Vehicle body repair shops;
- f. Race tracks for motorized vehicles;
- g. Stores and shops for retail sales and service exceeding 20,000 square feet in floor area;
- h. Expansion of nonconforming uses; and
- i. Limited landfills.

27.27.025 Permitted Conditional Uses

Deleted in its entirety.

27.27.030 Permitted Special Uses

Deleted in its entirety.

27.27.040 Accessory Uses.

Accessory uses permitted in this PUD are accessory buildings and uses customarily incident to the permitted uses, including early childhood care facilities.

27.27.050 Parking Regulations

Deleted in its entirety and replaced with:

- a. Parking on the public streets as shown on the PUD site plan.
- b. Parking, either diagonal or parallel, is permitted on private streets including, without exception, the private streets with public access easements.
- c. All required parking spaces shall be provided within the PUD and is not required to be provided on the same lot as the use for which they are required.
- d. One parking stall for every 600 square feet of floor area within the PUD is required. Due to the presence of considerable existing parking that doesn't meet City design standards, all existing parking may be counted. In addition, parking between the PUD and Antelope Valley Parkway north of Salt Creek Roadway may be included for purposes of required parking.
- e. The City will work cooperatively with NICDC or its assigns on parking management arrangements and public parking regulations.

27.27.055 Pedestrian Circulation Regulations

Deleted in its entirety.

27.27.060 Sign Regulations

Deleted in its entirety and replaced with:

Off-premise signs are prohibited. To allow flexibility in the placement of signs, the entire PUD area will be treated as one premise for purposes of allowing that signs for one use to be placed elsewhere within the PUD and not necessarily on the same lot as the use. In the area within 50 feet of Salt Creek Roadway, three Center Identification signs and up to ten free standing signs are allowed and shall be spaced a minimum of 100 feet apart. The size and height of these signs shall be per the sign ordinance. All other signage shall be regulated by NICDC.

27.27.065 Grading and Land Disturbance Regulations

Grading and land disturbance within the O-3 PUD shall be regulated in conformance with the provisions of Chapter 27.81.

27.27.070 Height and Area Regulations

Height and Area regulations do not apply except as otherwise stated or shown in the PUD.

- a. There shall be a minimum 20' yard requirement for new buildings along Antelope Valley Parkway and Salt Creek Roadway; and
- b. The maximum height shall be 93 feet for habitable or occupy-able building space.
- c. No building face shall be located closer than 15 feet from the center line of a water main.

27.27.080 Use Permit; Procedures and Requirements

Deleted in its entirety.