

RESOLUTION NO. A-\_\_\_\_\_

USE PERMIT NO. 57D

1           WHEREAS, Ridge Development Company and Superior Point Partners  
 2 have submitted an application in accordance with Section 27.37.070 of the Lincoln  
 3 Municipal Code designated as Use Permit No. 57D for authority to amend the Lincoln  
 4 Crossings Use Permit to increase the boundary and floor area, and to modify the  
 5 required front yard setback along Folkways Boulevard and the setback from the  
 6 residential district, on property generally located at North 27th Street and Folkways  
 7 Boulevard, and legally described as follows:

8           Lots 3-10 and Outlot A, King Ridge Addition, Lots 4-7, and  
 9           Outlots A and B, Lincoln Crossing Addition, Lots 1-9 and  
 10          Outlot A, Lincoln Crossing 1st Addition, Lots 1 and 2, Lincoln  
 11          Crossing 2nd Addition, Lots 1-3, Lincoln Crossing 3rd  
 12          Addition, Lots 1 and 2, Lincoln Crossing 4th Addition, and  
 13          Lot 47 I.T., located in Section 6, Township 10 North, Range  
 14          6 East of the 6th P.M., Lancaster County, Nebraska; and

15          WHEREAS, the real property adjacent to the area included within the site  
 16 plan for increase in boundary and modifications to setbacks within this Use Permit will  
 17 not be adversely affected; and

18          WHEREAS, said site plan together with the terms and conditions  
 19 hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln  
 20 Municipal Code to promote the public health, safety, and general welfare.

21          NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
 22 Lincoln, Nebraska:

23          That the application of Ridge Development Company and Superior Point

1 Partners, hereinafter referred to as "Permittee", to amend the Lincoln Crossings Use  
2 Permit to increase the boundary and floor area, and to modify the required front yard  
3 setback along Folkways Boulevard and the setback from the residential district be and  
4 the same is hereby granted under the provisions of Section 27.37.070 of the Lincoln  
5 Municipal Code upon condition that all construction be in strict compliance with the  
6 application, the site plan, and the following additional express terms, conditions, and  
7 requirements:

8 1. This permit approves the expansion of the Lincoln Crossings Use  
9 Permit for a total of 867,769 square feet of floor area with 51,300 square feet of floor  
10 area permitted north of North Hill Road and 816,469 square feet of floor area permitted  
11 south of North Hill Road, and modifications to the required front yard setback along  
12 Folkways Boulevard and setback from the residential district as shown on the site plan.

13 2. Before receiving building permits:

- 14 a. The Permittee must submit an acceptable revised and  
15 reproducible final plan including seven copies.
- 16 b. The construction plans must conform to the approved plans.
- 17 c. Administrative Amendment #03089 to reduce the boundary  
18 and floor area for King Ridge Use Permit #103 must first be  
19 approved.

20 3. Before occupying the new commercial areas all development and  
21 construction must be completed in conformance to the approved plans.

22 4. All privately-owned improvements must be permanently maintained  
23 by the Permittee or an appropriately established owners association approved by the

1 City Attorney.

2 5. The site plans approved by this permit shall be the basis for all  
3 interpretations of setbacks and yards, and the locations of buildings, location of parking  
4 and circulation elements, and similar matters.

5 6. The terms, conditions, and requirements of this resolution shall be  
6 binding and obligatory upon the Permittee, its successors and assigns. The building  
7 official shall report violations to the City Council which may revoke this use permit or  
8 take such other action as may be necessary to gain compliance.

9 7. The Permittee shall sign and return the City's letter of acceptance  
10 to the City Clerk within 30 days following approval of this use permit, provided, however,  
11 said 30-day period may be extended up to six months by administrative amendment.  
12 The City Clerk shall file a copy of the resolution approving this use permit and the letter  
13 of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by  
14 the Permittee.

15 8. The site plan as approved with this resolution voids and  
16 supersedes all previously approved site plans, however, all resolutions approving  
17 previous permits remain in force unless specifically amended by this resolution.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_ day of \_\_\_\_\_, 2004:

\_\_\_\_\_  
Mayor