

City Council Introduction: **Monday**, October 20, 2003
Public Hearing: **Monday**, October 27, 2003, at **5:30 p.m.**

Bill No. 03R-301

FACTSHEET

TITLE: USE PERMIT NO. 149, requested by Kent Seacrest on behalf of Ridge Development Company and Southview, Inc., for approximately 166,100 sq. ft. of commercial floor area, with associated waiver requests, on property generally located at the northwest corner of the intersection of S. 27th Street and Yankee Hill Road.

STAFF RECOMMENDATION: Conditional Approval.

ASSOCIATED REQUESTS: Change of Zone No. 3409 (03-167)

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 08/06/03
Administrative Action: 08/06/03

RECOMMENDATION: Conditional Approval, with amendments (9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Schwinn and Steward voting 'yes').

FINDINGS OF FACT:

1. This use permit and the associated Change of Zone No. 3409 at the northwest corner of S. 27th & Yankee Hill Road were heard before the Planning Commission at the same time as Change of Zone No. 3408, Special Permit No. 2022 and Use Permit No. 134A at the northeast corner of S. 27th & Yankee Hill Road.
2. This is a proposal for 166,100 sq. ft. of commercial floor area with waivers to delete the sidewalk on the east side of South 26th Street; to allow a street curve with less than a 150' radius; to allow zero setbacks for Lots 1-8, Block 1; and to reduce the front yard setback from 50' to 40' along South 27th Street.
3. The staff recommendation of conditional approval, including approval of the waiver requests, is based upon the "Analysis" as set forth on p.4-6, concluding that the request, with minor modifications, generally complies with the Zoning Ordinance and the Comprehensive Plan.
4. The applicant's testimony is found on p.9-10, at which time the applicant submitted proposed amendments to the conditions of approval as set forth on p.31-33.
5. There was no testimony in opposition.
6. On August 6, 2003, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend conditional approval, with the amendments to Conditions #1.1.2 and #1.1.4, and adding Condition #1.1.11, as requested by the applicant.
7. The Site Specific conditions of approval required to be completed prior to scheduling this application on the Council agenda have been satisfied.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: October 13, 2003

REVIEWED BY: _____

DATE: October 13, 2003

REFERENCE NUMBER: FS\CC\2003\UP.149

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for August 6, 2003 PLANNING COMMISSION MEETING

****As Revised by Planning Commission: 8/06/03****

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for the use permit.

P.A.S.: Change of Zone #3409 From AG Agriculture to B-2 Planned Neighborhood Business

Use Permit #149

PROPOSAL: **To allow 166,100 square foot of floor area in a neighborhood business center.**

LOCATION: Northwest of the intersection of South 27th Street and Yankee Hill Road.

WAIVER REQUESTS:

1. To allow parking aisles to abut the private roadway.
2. To construct a sidewalk on the east side of South 26th Street.
3. To allow a street curve with less than a 150' radius.
4. To allow 0' setbacks for Lots 1 - 8, Block 1.
5. To reduce the front setback from 50' to 40' along South 27th Street.

LAND AREA: Approximately 18.08 acres.

CONCLUSION: With minor modifications, this request generally complies with the Zoning Ordinance and the Comprehensive Plan.

<u>RECOMMENDATION:</u>	Change of Zone #3409	Approval
	<u>Use Permit #149</u>	<u>Conditional Approval</u>
<u>Waivers:</u>		
	<u>Sidewalk along South 26th</u>	<u>Approval</u>
	<u>Curve radius less than 150'</u>	<u>Approval</u>
	<u>0' setbacks for Lots 1-8, Block 1</u>	<u>Approval</u>
	<u>Reduce front setback from 50' to 40'</u>	<u>Approval</u>

GENERAL INFORMATION:

LEGAL DESCRIPTION: CZ#3409 - See attached
UP#149 - See attached.

EXISTING ZONING: AG Agriculture

EXISTING LAND USE: Undeveloped.

SURROUNDING LAND USE AND ZONING:

North:	Residential under development	R-3
South:	Residential	R-4
East:	Undeveloped	O-3, B-2
West:	Residential under development	R-3

ASSOCIATED HISTORY:

CPA#03014 - A Comprehensive Plan Amendment approved by the City Council on **July 14, 2003** and by the County Board on **July 15, 2003** locating a community commercial center at the intersection of South 27th Street and Yankee Hill Road and changing the land use designation on this property from Urban Residential to Commercial.

SP#1978 - Approved **September 3, 2002** for a community unit plan for 120 apartment units on the approximately 20 acre parcel adjacent to the south of this request.

PP#3330 - The preliminary plat of Stone Ridge Estates Addition was approved by the Planning Commission on **November 28, 2001**, and by the City Council on **January 14, 2002**. This preliminary plat included the adjacent R-3 residential development, but excluded the approximately 40 acre parcel northwest of the intersection of South 27th Street and Yankee Hill Road.

COMPREHENSIVE PLAN SPECIFICATIONS:

Page F 20 - Community Form -Development Principles

- Mix of office, retail and service uses
- Transition of uses; less intense office uses near residential areas
- Multiple vehicular connections between residential neighborhood and commercial center and multiple access points in and out of area
- Public uses (such as elementary schools) serve as centers of neighborhood

Page F25 - This site is designated for commercial land uses on the Land Use Plan.

Page F27 - Urban Growth Tiers - This site is within the City's Future Service Limit.

Page F38 - General Principles for all Commercial and Industrial Uses - Commercial and industrial districts in Lancaster County shall be located:

- within the City of Lincoln or incorporated villages;
- outside of saline wetlands, signature habitat areas, native prairie and floodplain areas (except for areas of existing commercial and industrial zoning);
- where urban services and infrastructure are available or planned for in the near term
- in sites supported by adequate road capacity – commercial development should be linked to the implementation of the transportation plan;
- in areas compatible with existing or planned residential uses;
- in areas accessible by various modes of transportation (i.e. automobile, transit and pedestrian).

Page F87 - Transportation Planning Principles

- A Balanced Transportation System - The concept of balance also applies to methods of transportation. While the system must function well for motor vehicles, it should also establish public transportation, bicycling, and walking as realistic alternatives now and into the future.

Page F91 - Other Areas

- All areas of the community should have safe, secure and reasonably direct pedestrian connections. Activities of daily living should be available within walking distance. Neighborhoods should include homes, stores, workplaces, schools, and places to recreate. Interconnecting streets, trails, and sidewalks should be designed to encourage walking and bicycling, reduce the number and length of automobile trips, and conserve energy.

UTILITIES: All utilities are available to serve this project.

TRAFFIC ANALYSIS: The site has access to Grainger Parkway which is a full-turning movement intersection at South 27th Street, and also has direct access to South 27th Street at Jamie Lane which is limited to right-in and right-out turning movements only. Internal access is provided by a private roadway and a public access easement across all drives and parking stalls.

ANALYSIS:

1. Previously, this site was designated for urban residential uses in the Land Use Plan. A comprehensive plan amendment recently approved changed the designation to commercial.
2. The site plan shows 151,000 square feet of commercial floor area and includes a grocery store, restaurants including drive-thru facilities, and financial as proposed uses. Also, the land use table shows 129 parking stalls more than what is required by the Zoning Ordinance. However, the applicant is requesting that the approved floor area exceed this amount by 10%. This would provide for a total of 166,100 square feet to allow for minor deviations in building design and tenant preference. This is acceptable provided any increase in floor area above 151,000 up to the maximum 166,100 square feet is subject to review by administrative amendment. Any such request will be required to demonstrate that the increase does not exceed the limits established in the traffic study, and that it complies with all other requirements of the Zoning Ordinance and Design Standards.
3. A waiver to allow a parking aisle to abut a private roadway has been requested. However, there is no specific design standard that applies so a waiver is not required.
4. A private roadway is shown extending through the site in part to provide a public way for utilities. Public Works requires that public utilities be located in public streets or private roadways, otherwise the utility has to be private. The private roadway is subject to the applicable design standards including providing sidewalks. A waiver to not construct the sidewalk on the east side of the north-south portion of the private roadway is requested due to the fact that the roadway is located in a parking lot and there is no distinction between the roadway and the parking lot. This waiver is appropriate.

Additionally, concerning the private roadway, 911 Emergency Communications recommends the north-south portion of the roadway be named South 26th Street instead of Jamie Lane to avoid confusion. Also, errors in the curve data are noted and must be corrected.

5. A waiver to the curve radius for the curve in the private roadway where it turns to go north is requested. Considering it is located in a parking lot and speeds should be relatively slow, this waiver is appropriate.
6. A request to reduce the front setback along South 27th Street is requested as consideration for the required dedications for right-of-way and bike trail. The dedication of 10 additional feet of right-of-way along South 27th Street is required to help provide the 130' required within 700' of a major intersection. Beyond that, another 10' is being dedicated to provide for the bike trail system. The same waiver was granted for the development on the east side of South 27th Street for similar reasons, and is also appropriate for this project.
7. The project creates eight lots for commercial development located within an outlot over which a common access easement is granted to the public. The requested waiver is to allow a 0' setback (except along South 27th Street) for all yards and allows for this lot configuration. In effect, the lots are building envelopes and structures are allowed to be built to the property line and the outlot provides separation from surrounding properties. This is a typical design strategy for this type of commercial development and the waiver is appropriate. However, all setbacks from lot lines to the boundary of the use permit are not shown and the site plan must be revised to include them. Inclusion of the setbacks will also demonstrate there is a 100' separation between the grocery store and adjacent residential and to comply with the requirements for the sale of alcohol. Additionally, Lot 3 encroaches into the public access easement and must be revised to eliminate the conflict.
8. The landscape plan shows required street trees and parking lot landscaping, but does not include the required screening for B-2 adjacent to a residential district. The plan must be revised to show the required screening, correct street tree spacing, and it is recommended that the substitute plantings requested by the Parks and Recreation Department be shown. Individual lot landscape plans will be submitted at the time of building permits per Use Permit Note #1
9. To enhance pedestrian access and connectivity with the surrounding residential areas, additional sidewalk connections are needed: a sidewalk connection from Lot 4 to the drive entrance at Grainger Parkway; from Lots 7 and 8 to Jamie Lane; and from Lot 8 to South 27th Street. Additionally, it should be noted the sidewalk to Lot 5 from South 27th Street is desired and should be provided, but that it must be ADA accessible.
10. Revisions to the grading and drainage plan are required per the attached reviews from Public Works and Utilities. The utility plan must also be revised as there is no sanitary sewer service in the vicinity of Lot 3. Public Works also notes that a waiver to storm water detention has been requested, as on-site detention is not provided on the plan. This is a waiver that may be approved administratively and has been granted by the Director of Public Works.

11. Public Works notes in their review that improvements to surrounding arterial streets were addressed in the June, 2003 traffic study for this area, but the assignment of financial responsibility has not been decided. This must occur prior to approval of this change of zone and use permit.
12. This request is an appropriate use of land at this location and can help provide the kind of conveniently located neighborhood-type commercial services expected near residential areas. However, such developments must be designed to both integrate into the neighborhood and be accessible. To this end, the additional recommended sidewalk connections should be made, and additional screening beyond the minimum required by design standards should be provided between the grocery store and the adjacent residential areas to the west and south.

Additionally, the Comprehensive Plan encourages new commercial development to set a higher standard with regard to design aesthetics and compatibility with surrounding development. Note #14 states that building materials and exterior treatments for the center are under design, but will be submitted prior to the public hearing before the Planning Commission.

Use Permit 149

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

- 1.1 Revise the site plan to show:
 - 1.1.1 Show all setbacks from lot lines to the use permit boundary.
 - 1.1.2 Required screening between the B-2 and residential districts, enhanced by the planting of ~~additional landscaping~~ twice the number of trees to further buffer the center. **(**Per Planning Commission, at the request of the applicant and agreed upon by staff, 8/06/03**)**
 - 1.1.3 Substitute plants per the Parks and Recreation Department's review.
 - 1.1.4 A sidewalk connection from ~~Lot 4 to the drive entrance at Grainger Parkway including painted walkways across the parking lot;~~ from Lots 7 and 8 to Jamie Lane including painted walkways across the parking lot; and from Lot 8 to South 27th Street including painted walkways across the parking lot. The sidewalk to Lot 5 from South 27th Street must be ADA accessible. **(**Per Planning Commission, at the request of the applicant and agreed upon by staff, 8/06/03**)**
 - 1.1.5 The north leg of Jamie Lane renamed as South 26th Street.

- 1.1.6 Corrected curve data for the private roadway.
- 1.1.7 A revised grading and drainage plan approved by Public Works and Utilities.
- 1.1.8 Note #10 revised to state "MINOR ADJUSTMENTS IN THE FLOOR AREA OF EACH BUILDING MAY MADE AT THE TIME OF BUILDING PERMITS PROVIDED THE TOTAL FLOOR AREA OF THE CENTER DOES NOT EXCEED 151,000 SQUARE FEET. ANY INCREASE IN FLOOR AREA ABOVE 151,000 UP TO THE MAXIMUM ALLOWED FLOOR AREA OF 166,100 MUST BE APPROVED BY ADMINISTRATIVE AMENDMENT."
- 1.1.9 Lot 3 not protruding into the public access easement.
- 1.1.10 Sanitary sewer service to Lot 3.
- 1.1.11 Revise Note 14 to delete the existing language and insert the following: "AT LEAST 50% OF THE EXTERIOR FACADE AREA OF BUILDINGS UNDER 30,000 SQUARE FEET SHALL BE BRICK, STONE OR CULTURED STONE. THE EXTERIOR MATERIALS OF THE PRIMARY FACADES (ABUTTING A PUBLIC STREET OR PRIVATE ROADWAY) FOR BUILDINGS 30,000 SQUARE FEET AND LARGER SHALL CONSIST OF BRICK OR STONE MASONRY, SPLIT-FACE CONCRETE MASONRY, ARCHITECTURAL PRE-CAST, SYNTHETIC STUCCO OR A COMBINATION THEREOF." (**Per Planning Commission, at the request of the applicant and agreed upon by staff, 8/06/03**)

1.2 A signed agreement between the applicant and the City regarding financial responsibilities for required off-site improvements.

2. This approval permits 166,100 square feet of commercial floor area with waivers to a sidewalk on the east side of South 26th Street; to allow a street curve with less than a 150' radius; to allow 0' setbacks for Lots 1 - 8, Block 1; and, to reduce the front setback from 50' to 40' along South 27th Street.

General:

- 3. Before receiving building permits:
 - 3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies and the plans are acceptable.
 - 3.2 The construction plans shall comply with the approved plans.
 - 3.3 Final Plats shall be approved by the City.

Standard:

4. The following conditions are applicable to all requests:
 - 4.1 Before occupying any buildings all development and construction shall have been completed in compliance with the approved plans.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established property owners association approved by the City Attorney.
 - 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by:

Brian Will
Planner

July 24, 2003

**APPLICANT/
OWNER:**

Ridge Development and Southview, Inc.
3901 Normal Blvd, Suite 203
Lincoln, NE 68506
(402) 436-3111

CONTACT:

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Lincoln, NE 68508
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**CHANGE OF ZONE NO. 3408;
SPECIAL PERMIT NO. 2022,
PLANNED SERVICE COMMERCIAL CENTER;
and USE PERMIT NO. 134A
(Northeast corner of S. 27th & Yankee Hill Road)
and
CHANGE OF ZONE NO. 3409;
and USE PERMIT NO. 149
(Northwest corner of S. 27th & Yankee Hill Road)**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

August 6, 2003

Members present: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Steward and Schwinn.

Staff recommendation: Approval

Ex Parte Communications: Dan Marvin reported that he had a conversation with the applicant.

Proponents

1. Kent Seacrest appeared on behalf of **Ridge Development Company and Southview, Inc.** These proposals are for the northeast and northwest corners of 27th Street and Yankee Hill Road. The northwest corner is already zoned O-3 and B-2. The proposal basically keeps the O-3 and changes the B-2 into H-4 to permit auto dealerships. The west side is then proposed to be designated as B-2, which would then be the neighborhood center and services.

Seacrest reminded the Commission that both of these corners were in front of the Commission during the recent Comprehensive Plan Annual Review and this Commission unanimously recommended both of these reconfigurations, along with commercial further to the south.

With regard to the waiver of the front yard requirement, Seacrest pointed out that the proposal shows front yards up against all the public streets; however, the proposal shows a common parking lot with multiple buildings around that parking lot, and the parking lot is an outlot. The parking is to be shared with a business association. In order to make that outlot, they end up with a building site virtually having no front yard as they abut the parking lot or private roadway. This is a layout that is allowed and staff thought it rational in this case.

Seacrest then addressed the waiver request to reduce the front yard along South 27th Street from 50' to 40'. While the Comprehensive Plan calls for the public way corridor to be 120' right-of-way, it also calls for 130' near the intersections to allow dual left turn lanes. The dilemma is that we have not put those standards into the ordinances and design standards so it is not real clear how it is to

be handled when the city wants additional right-of-way. Seacrest pointed out that the 40' has been allowed in almost every commercial center in the last 10 years.

Seacrest advised that they did have neighborhood meetings, which were not well attended, and he believes the applicant addressed any and all concerns that were raised.

Seacrest then submitted motions to amend the conditions of approval on Special Permit No. 2022, Use Permit No. 134A and Use Permit No. 149. The motion to amend adds Condition #1.1.12 to Special Permit No. 2022, concerning the design standards for the buildings. They do have buildings with double fronts on the street and the common parking area and staff wanted to be sure there was not an ugly back side. Condition #1.1.12 is an attempt to note on the plan such things as the brick, stone, cultured stone, etc. The buildings will be dressed up. This same condition is proposed to be added as Condition #1.1.14 on the Use Permit No. 134A, and also as Condition #1.1.11 on Use Permit No. 149.

With regarding to the landscaping up against the residential neighborhood on the B-2 side, the applicant has agreed with staff to double the trees, which is the proposed amendment to Condition #1.1.2 on Use Permit No. 149. The proposed amendment to Condition #1.1.4 on Use Permit No. 149 deletes the sidewalk connection from Lot 4 to the drive entrance at Grainger Parkway. Staff thought that Lot 4 should have a connectivity to the "big box", but there is another sidewalk that provides sufficient access. Staff has agreed that it would be redundant for sidewalks to be so close to one another.

Seacrest believes that staff agrees with the proposed amendments.

There was no testimony in opposition.

Brian Will of Planning staff agreed with the proposed amendments to the conditions of approval. Steward referred to the added condition regarding the building materials and wondered why they would allow synthetic stucco on this list. Seacrest stated that the synthetic stucco is only allowed on a building over 30,000 sq. ft. The proposed building must meet the speculations of a national car dealer and their prototype for their buildings across the country is a white looking building. It is a situation that they checked out and tried to talk with the national company but they would not "bend" their rules.

CHANGE OF ZONE NO. 3408

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

August 6, 2003

Bills-Strand moved approval, seconded by Duvall.

Carlson believes the developer did a good job. They did their homework and it shows.

Motion for approval carried 9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Schwinn and Steward voting 'yes'.

SPECIAL PERMIT NO. 2022

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

August 6, 2003

Bills-Strand moved to approve the staff recommendation of conditional approval, with the amendments as proposed by the applicant, seconded by Duvall.

Carlson stated that he supports the motion, but he pointed out that the Comprehensive Plan does call for pedestrian connectivity and more pedestrian consideration in commercial areas. He thinks we are starting to see that and he appreciates it.

Motion for conditional approval, with amendments, carried 9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Schwinn and Steward voting 'yes'.

USE PERMIT NO. 134A

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

August 6, 2003

Bills-Strand moved to approve the staff recommendation of conditional approval, with the amendments as requested by the applicant, seconded by Duvall and carried 9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Schwinn and Steward voting 'yes'.

CHANGE OF ZONE NO. 3409

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

August 6, 2003

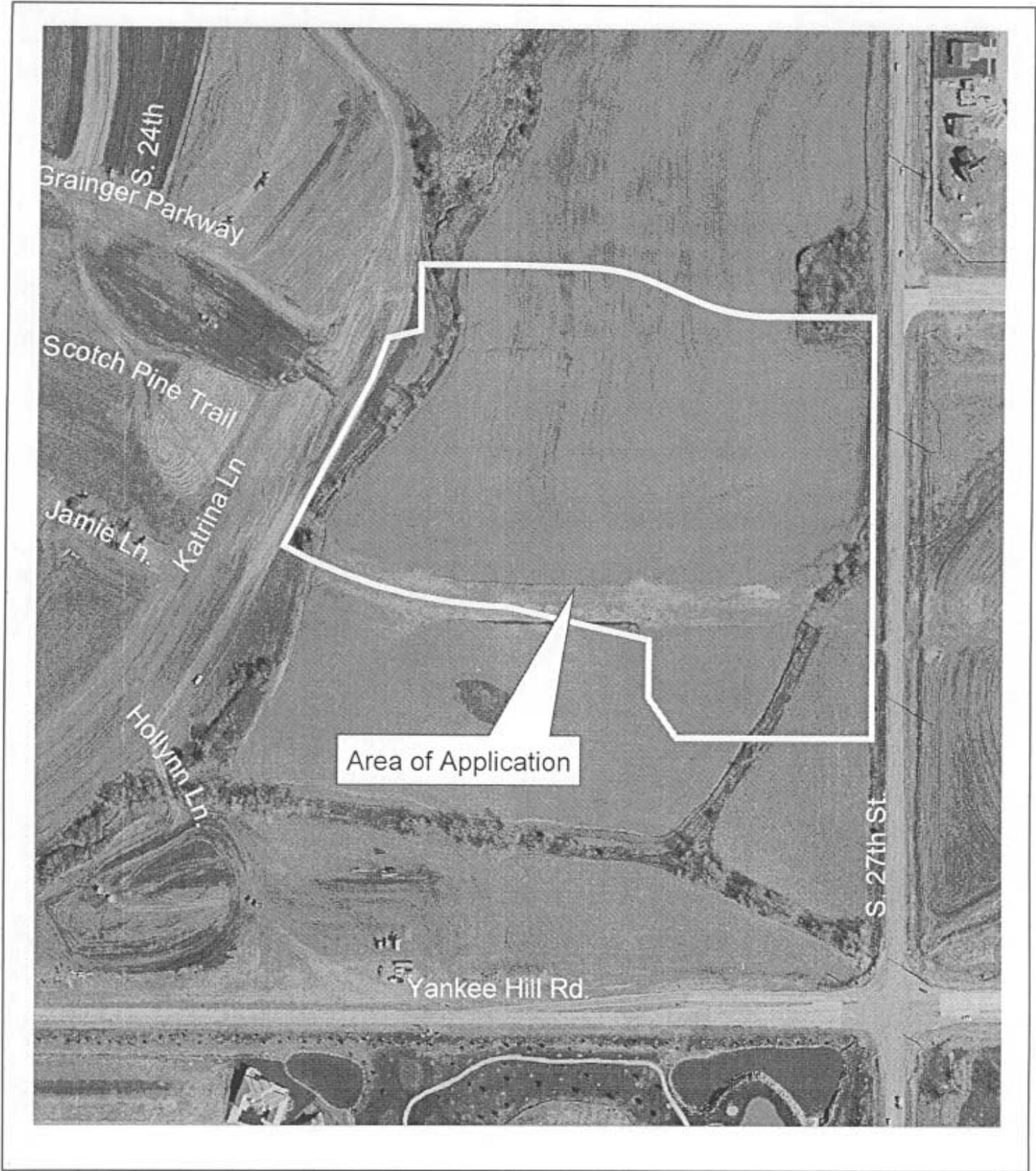
Steward moved approval, seconded by Bills-Strand and carried 9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Schwinn and Steward voting 'yes'.

USE PERMIT NO. 149

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

August 6, 2003

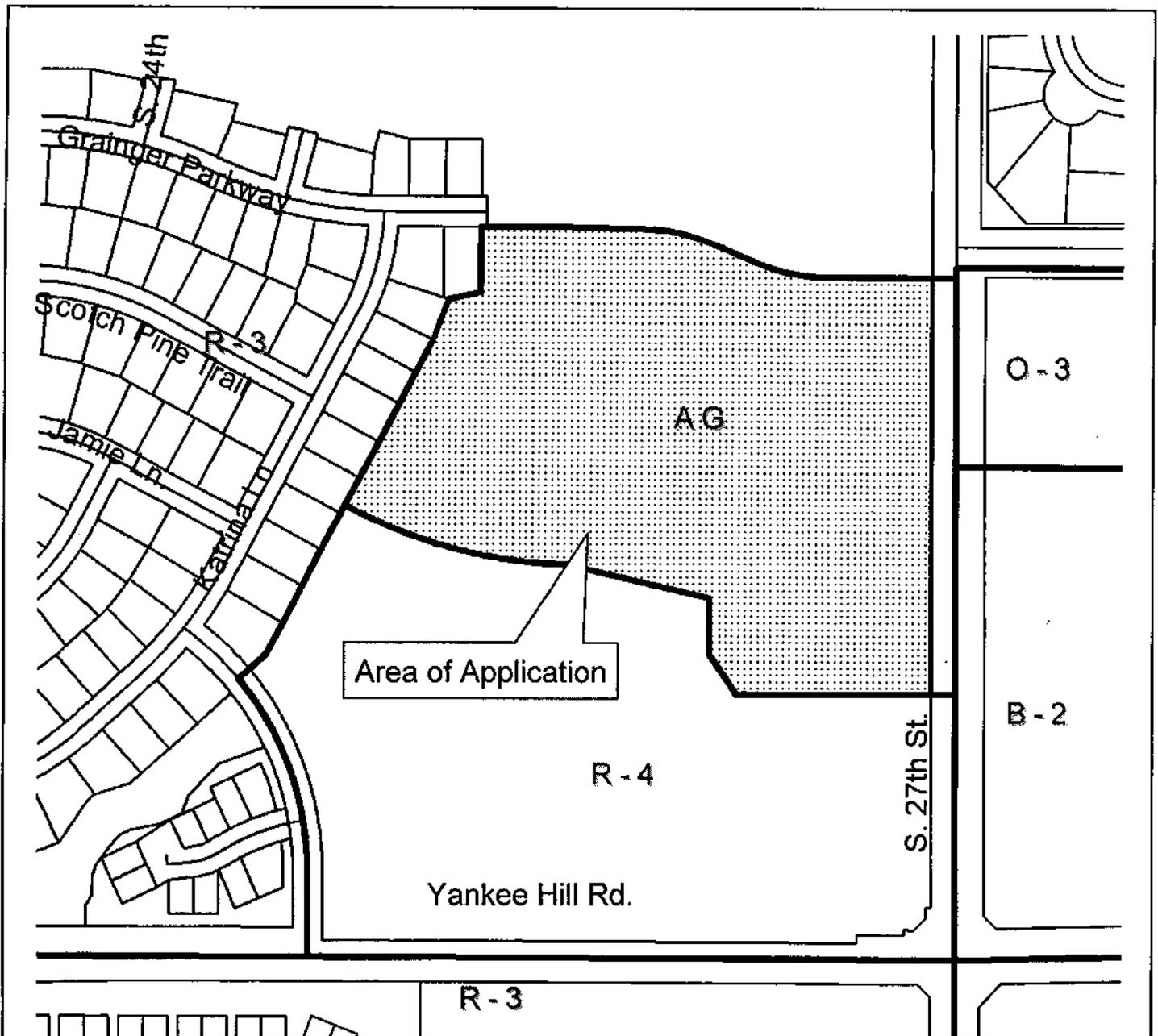
Steward moved to approve the staff recommendation of conditional approval, with the amendments as requested by the applicant, seconded by Bills-Strand and carried 9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Schwinn and Steward voting 'yes'.



**Use Permit #149
Change of Zone #3409
S. 27th & Yankee Hill Rd.**



012

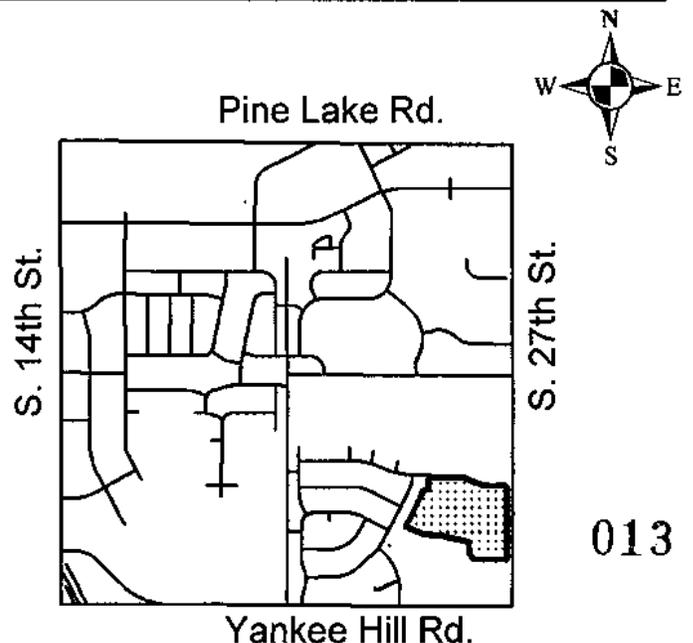
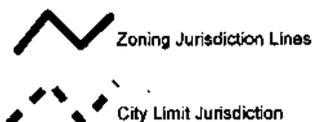


Use Permit #149
Change of Zone #3409
S. 27th & Yankee Hill Rd.

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation 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. 24 T9N R6E



013

USE PERMIT
LEGAL DESCRIPTION

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A PORTION OF LOT 81 I.T., LOCATED IN THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

IN
WER
SEWER
HOLE
R
WER
OX
(4' MIN. WIDTH)

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER, THENCE ON AN ASSUMED BEARING OF NORTH 00 DEGREES 02 MINUTES 09 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 533.63 FEET TO A POINT, THENCE SOUTH 89 DEGREES 57 MINUTES 51 SECONDS WEST, A DISTANCE OF 50.00 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF SAID LOT 81 I.T., SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE SOUTH 89 DEGREES 57 MINUTES 51 SECONDS WEST, A DISTANCE OF 394.09 FEET TO A POINT, THENCE NORTH 35 DEGREES 06 MINUTES 51 SECONDS WEST, A DISTANCE OF 97.06 FEET TO A POINT, THENCE NORTH 00 DEGREES 02 MINUTES 09 SECONDS WEST, A DISTANCE OF 115.27 FEET TO A POINT, THENCE NORTH 77 DEGREES 07 MINUTES 34 SECONDS WEST, A DISTANCE OF 293.13 FEET TO A POINT, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 1,007.00 FEET, ARC LENGTH OF 474.92 FEET, DELTA ANGLE OF 27 DEGREES 01 MINUTES 18 SECONDS, A CHORD BEARING OF NORTH 75 DEGREES 23 MINUTES 47 SECONDS WEST, AND A CHORD LENGTH OF 470.53 FEET TO A POINT OF INTERSECTION WITH A WEST LINE OF SAID LOT 81 I.T., THENCE NORTH 28 DEGREES 01 MINUTES 29 SECONDS EAST ALONG A WEST LINE OF SAID LOT 81 I.T., A DISTANCE OF 377.16 FEET TO A WEST CORNER OF SAID LOT 81 I.T., THENCE NORTH 20 DEGREES 57 MINUTES 33 SECONDS EAST ALONG A WEST LINE OF SAID LOT 81 I.T., A DISTANCE OF 86.51 FEET TO A WEST CORNER OF SAID LOT 81 I.T., THENCE NORTH 77 DEGREES 26 MINUTES 11 SECONDS EAST ALONG A NORTH LINE OF SAID LOT 81 I.T., A DISTANCE OF 67.92 FEET TO A WEST CORNER OF SAID LOT 81 I.T., THENCE NORTH 00 DEGREES 02 MINUTES 08 SECONDS WEST ALONG A WEST LINE OF SAID LOT 81 I.T., A DISTANCE OF 130.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 81 I.T., THENCE NORTH 89 DEGREES 57 MINUTES 52 SECONDS EAST ALONG A NORTH LINE OF SAID LOT 81 I.T., A DISTANCE OF 185.01 FEET TO A NORTH CORNER OF SAID LOT 81 I.T., THENCE SOUTH 88 DEGREES 24 MINUTES 06 SECONDS EAST ALONG A NORTH LINE OF SAID LOT 81 I.T., A DISTANCE OF 148.41 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 400.00 FEET, ARC LENGTH OF 147.15 FEET, DELTA ANGLE OF 21 DEGREES 04 MINUTES 39 SECONDS, A CHORD BEARING OF SOUTH 77 DEGREES 51 MINUTES 47 SECONDS EAST ALONG A NORTH LINE OF SAID LOT 81 I.T., AND A CHORD LENGTH OF 146.32 FEET TO A POINT OF TANGENCY, THENCE SOUTH 67 DEGREES 19 MINUTES 27 SECONDS EAST ALONG A NORTH LINE OF SAID LOT 81 I.T., A DISTANCE OF 84.84 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 400.00 FEET, ARC LENGTH OF 158.56 FEET, DELTA ANGLE OF 22 DEGREES 42 MINUTES 42 SECONDS, A CHORD BEARING OF SOUTH 78 DEGREES 40 MINUTES 48 SECONDS EAST ALONG A NORTH LINE OF SAID LOT 81 I.T., AND A CHORD LENGTH OF 157.52 FEET TO A POINT OF TANGENCY, THENCE NORTH 89 DEGREES 57 MINUTES 51 SECONDS EAST ALONG A NORTH LINE OF SAID LOT 81 I.T., A DISTANCE OF 207.04 FEET TO THE NORTHEAST CORNER OF SAID LOT 81 I.T., THENCE SOUTH 00 DEGREES 02 MINUTES 09 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 81 I.T., SAID LINE BEING 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 838.58 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 787,350.45 SQUARE FEET OR 18.08 ACRES, MORE OR LESS.

7°01'18"
007.00'
74.92'
41.96'
470.53'
S75°23'47"E

REVISIONS

STONE RIDGE ESTATES COMMERCIAL CENTER

USE PERMIT #149
DRAINAGE AND DRAINAGE PLAN

PRELIMINARY SITE MAP

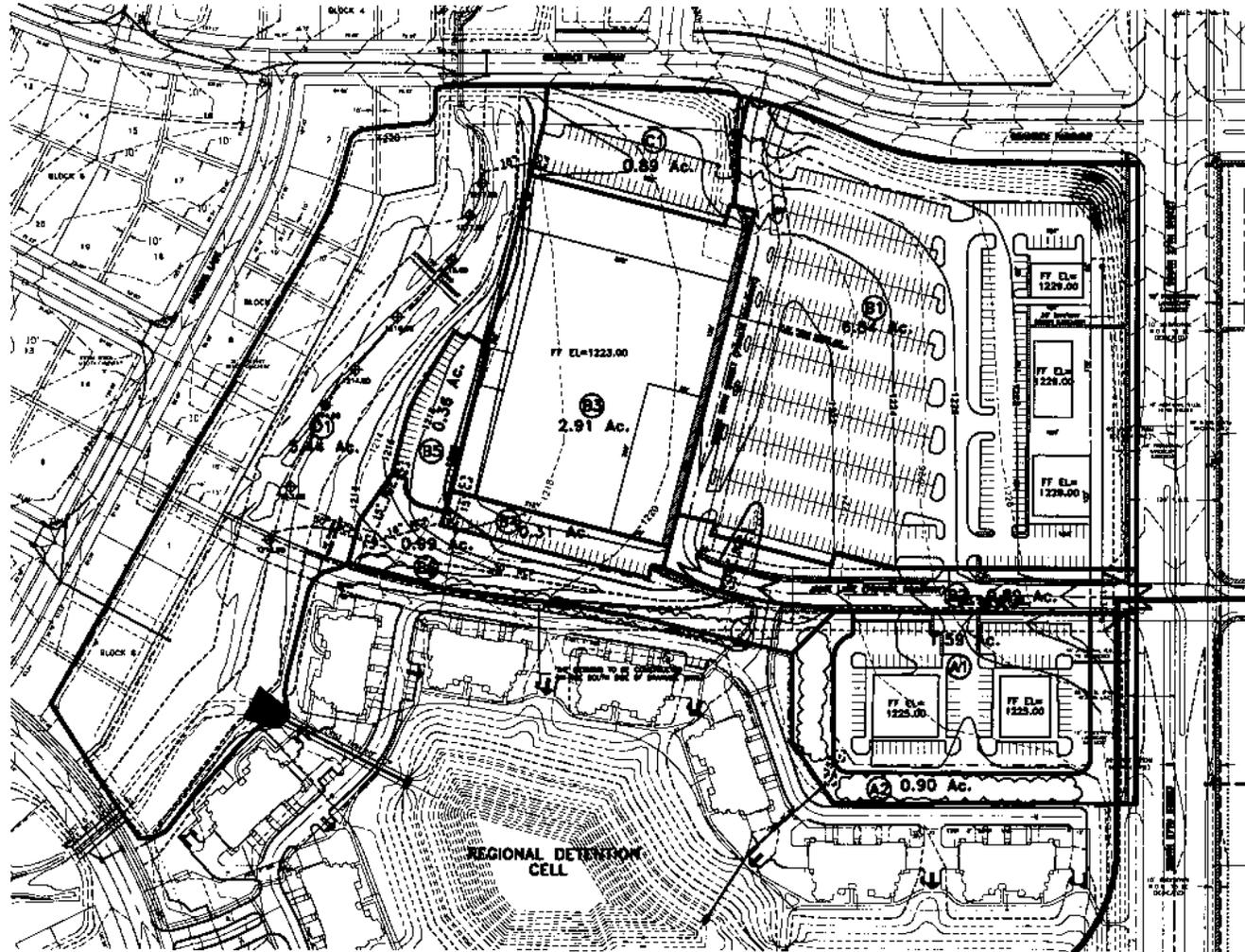
SLOPE										FINISH ELEVATION									
1"	2"	3"	4"	5"	6"	7"	8"	9"	10"	11"	12"	13"	14"	15"	16"	17"	18"	19"	20"
1/8"	1/4"	3/8"	1/2"	5/8"	3/4"	7/8"	1"	1 1/8"	1 1/4"	1 1/2"	1 3/4"	1 7/8"	2"	2 1/8"	2 1/4"	2 1/2"	2 3/4"	2 7/8"	3"



- NOTES**
1. ALL ELEVATIONS ARE GIVEN ON HANS 1988.
 2. DEVELOPED BASINS SHOWN ARE FOR RATIONAL METHOD CALCULATION USED FOR INLET LOCATION DESIGN.
 3. REFER TO STONE RIDGE ESTATES DRAINAGE & DRAINAGE PLAN FOR OVERALL DRAINAGE AND DETENTION INFORMATION.
 4. THE EXISTING DRAINAGE CHANNEL IN AREA "D" SHALL BE MAINTAINED IN ACCORDANCE WITH THE COMP. OF ENGINEERS #04 PERMIT.
 5. THE MINIMUM BUILDING OPENING ELEVATIONS FOR ALL BUILDINGS SHALL BE 1222.00

LEGEND

- PROPOSED MAJOR CONDUIT
- PROPOSED MINOR CONDUIT
- - - - - EXISTING MAJOR CONDUIT
- - - - - EXISTING MINOR CONDUIT
- STORM DRAIN
- - - - - PROPOSED STORM DRAIN
- PROPOSED CATCH BASIN
- ⊕ 100% FINISH ELEVATION
- ☁ PROPOSED SWALE



D.L. GIBSON ASSOCIATES
INCORPORATED
1000 S. GARDNER
LINCOLN, NEBRASKA 68502

DRAINAGE AND DRAINAGE PLAN
STONE RIDGE ESTATES COMMERCIAL CENTER
USE PERMIT #149
LINCOLN, NEBRASKA

DATE
3 9 8 8

017

SEACREST & KALKOWSKI, P.C.

1111 LINCOLN MALL SUITE 350
LINCOLN, NEBRASKA 68508-3905

TELEPHONE (402) 435-6000
FACSIMILE (402) 435-6100

KENT SEACREST
E-MAIL: kent@sk-law.com

DANAY KALKOWSKI
E-MAIL: danay@sk-law.com

July 25, 2003

HAND DELIVERY

Brian Will
Planning Department
County-City Building
555 South 10th Street
Lincoln, NE 68508

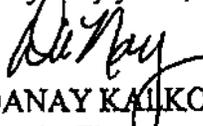
RE: Stone Ridge Estates Commercial Center and Pine Lake Heights South 4th Addition

Dear Brian:

The purpose of this letter is to clarify the amount of commercial square footage that is being requested for each of the above sites. Ridge Development Company and Southview, Inc. are requesting the ability to construct up to 166,100 square feet of commercial uses on the Stone Ridge Estates Commercial Center. This represents 110% of the 151,000 square feet of commercial uses currently shown on the site plan. Ridge Development Company and Southview, Inc. are requesting the ability to construct up to 217,525 square feet of commercial uses within Pine Lake Heights South 4th Addition. This number also represents 110% of the square footage of commercial uses currently shown on the site plan.

If you have any questions or need any additional information, please give me a call.

Very truly yours,


DANAY KALKOWSKI
For the Firm

Enclosure

SEACREST & KALKOWSKI, P.C.

1111 LINCOLN MALL, SUITE 350
LINCOLN, NEBRASKA 68508-3905

TELEPHONE (402) 435-6000
FACSIMILE (402) 435-6100

KENT SEACREST
E-MAIL: kent@sk-law.com

DANAY KALKOWSKI
E-MAIL: danay@sk-law.com

May 15, 2003

HAND DELIVERY

Marvin Krout
Planning Director
County-City Building
555 South 10th
Lincoln, NE 68508

RE: Submittals for S. 27th Street and Yankee Hill Road Commercial Center

Dear Marvin:

Our law firm represents Ridge Development Company ("Ridge") and Southview, Inc. ("Southview"), the owners of the following tracts of property:

(i) NE Tract: a 30 acre tract located on the northeast corner of S. 27th Street and Yankee Hill Road. This Tract is currently zoned O-3 and B-2 and is subject to existing Use Permit No. 134.

(ii) NW Tract: a 16 acre tract located northwest of the S. 27th Street and Yankee Hill Road intersection. The major road entrance into this tract is approximately one-fourth mile north of the intersection of S. 27th Street and Yankee Hill Road at Grainger Parkway. This Tract is currently zoned AG.

Ridge and Southview are submitting applications for both the NE Tract and the NW Tract at the same time so that they can be reviewed together. Both Tracts are part of the Commercial Center designation currently shown in the Comprehensive Plan Annual Review as Comprehensive Plan Proposed Amendment No. 14.

NE TRACT

Ridge and Southview are requesting a slight reconfiguration of the O-3 zoning lines on the NE Tract, as well as a change of zone from B-2 to H-4. An amendment to existing Use Permit No. 134 is requested for the O-3 area showing office and a bank uses. A special permit for planned service commercial is requested for the H-4 area. The planned service commercial development includes a mix of retail uses, restaurants and a full service automobile dealership. The O-3 and H-4 areas show a combined total of 211,600 square feet.

In addition, Ridge and Southview are requesting a zoning text amendment to the planned service commercial special permit provision to allow automobile/truck wash facilities as an approved use within a planned service commercial development. Automobile/truck wash

facilities are permitted as a conditional use in the H-2 and H-3 zones, and automobile wash facilities are permitted as a conditional use in the B-2 zone and a permitted use in the B-5 zone. Automobile, motorcycle, and four-wheel truck sales, along with automobile repair, including vehicle body repair shops, are approved uses with a planned service commercial development. We think it is appropriate to allow automobile/truck wash facilities to also be located in the H-4 zone as part of a planned service commercial development. Because a planned service commercial development is a permitted special use in the H-4 zone, the City will have an opportunity to review site plans for automobile/truck wash facilities to insure it is compatible with abutting land uses.

We are requesting that the following waivers be added to the above mentioned project:

1. *To reduce the required front yard setback from 50' to 40' along South 27th Street and Yankee Hill Road in the H-4 zone.*

An additional 10' of right of way is being dedicated for South 27th Street and Yankee Hill Road. There is additionally a 10' pedestrian and landscape easement being dedicated. We are requesting a corresponding setback waiver for this 10' right of way dedication.

2. *A waiver of the internal yard setbacks to 0' for lots 1 thru 12, block 2.*

The proposed lots are surrounded by Outlot "A" that accounts for all parking and setback requirements.

3. *To waive the minimum lot sizing in the H-4 zoning from 15,000 SF to 4,000 SF.*

This waiver is in conjunction with waiver request #2. The proposed lots are surrounded by Outlot "A" that accounts for all parking and setback requirements. The lots are specifically for the buildings and are therefore substantially smaller.

Enclosed please find the following information supporting the requests for the NE Tract:

1. City of Lincoln Zoning Application
2. Certificate of Ownership
3. Application fee in the amount of \$1,365
4. 21 copies of the site plans
5. 9 copies of the grading/drainage plan
6. 9 copies of the landscape plan
7. 9 copies of the profile sheet

NW TRACT

Ridge and Southview are requesting a change of zone from AG to B-2 for the NW Tract, as well as a use permit for a 151,000 square feet neighborhood center. The neighborhood center contains a mix of uses including a grocery store.

We are requesting that the following waivers be added to the above mentioned project:

1. *To allow parking aisles to abut the private roadway.*

To maintain vehicular circulation through the site, the private roadway is shown along the front of the large Grocery / Commercial / Restaurant building. This private roadway intersects the driving aisles of the parking lot to the east. The private roadway has been discussed with Dennis Bartels at Public Works.

2. *A waiver to the design standards of Lincoln to not construct a sidewalk on the east side of South 26th Street (Private Roadway).*

This waiver is in conjunction with waiver request #1. Adequate room is not available to provide a sidewalk on the east side of South 26th Street due to the parking lot islands and drive aisles.

3. *A waiver to the design standards of Lincoln to allow curve "3" to have a radius of less than 150'*

The private roadway turns approximately 90 degrees at curve "3", however, a 30' driveway continues westward along the southern side of lots 1 and 2. This intersection functions as a "T" intersection rather than a 90 degree bend. The curve waiver has been discussed with Dennis Bartels at Public Works.

4. *A waiver of the internal yard setbacks to 0' for lots 1 thru 8, block 1.*

The proposed lots are surrounded by Outlot "A" that accounts for all setback requirements.

5. *To reduce the required front yard setback from 50' to 40' along 27th Street.*

An additional 10' of right of way is being dedicated for South 27th Street. This increases the South 27th Street right of way to 60' (measured from centerline). There is an additional 10' pedestrian and landscape easement being dedicated. We are requesting a corresponding waiver for the 10' right of way dedication from the required 50' setback.

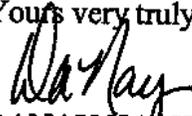
Enclosed please find the following information supporting the requests for the NE Tract:

1. City of Lincoln Zoning Application
2. Certificate of Ownership
3. Application fee in the amount of \$1,170
4. 21 copies of the site plans
5. 9 copies of the grading/drainage plan
6. 9 copies of the landscape plan
7. 9 copies of the profile sheet

Olsson Associates has been working with Public Works to complete a traffic study that encompasses the uses on both the NE Tract and NW Tract. The traffic study will be submitted under separate cover next week.

We look forward to working with you on these projects. If you have any questions regarding the above, please call me or Kent Seacrest at the number listed above, or Mark Palmer with Olsson Associates.

Yours very truly,



DANAY KALKOWSKI
For the Firm

Enclosure

cc: Mayor-Elect Coleen Seng
Council Member Jonathan Cook
Ridge Development Company
Southview, Inc.
Jerry Williamson
Jim Williamson

M e m o r a n d u m

To: Brian Will, Planning Department

From: Chad Blahak, Public Works and Utilities

Subject: Stone Ridge Estates Commercial Center Use Permit

Date: 7/23/03

cc: Randy Hoskins
Devin Biesecker

Engineering Services has reviewed the special permit and use permit for Stone Ridge Estates Commercial Center, located west of South 27th Street between Yankee Hill Road and Grainger Parkway, and has the following comments:

Water Main - The water system for this project is satisfactory.

Sanitary Sewer - If Lots 2 and 3 develop as restaurants, they will most likely require separate sewer services with grease traps. As proposed there is no sanitary sewer in the vicinity of Lot 3.

Grading/Drainage - Show 100yr flood elevations in the existing channel to the west. Also, show finished floor elevations to ensure the structures are out of flood danger. Elevation labels should also be added to the existing and proposed contours.

A portion of the clouded area designated for berming in area B6 appears to be located in a drainage ditch. The contours and/or berm cloud should be adjusted accordingly.

The existing grades in the north east corner of the project indicate a portion of the parking located on a 3:1 slope. The grades should be adjusted accordingly.

Show the existing storm sewer along the west side of South 27th Street.

A waiver for detention ¹⁵~~needs to be~~ requested. This waiver ¹⁵~~would be~~ approved by Public Works as the master drainage plan for the area provides detention for this project down stream.

Streets - Public Works has no objection to the requested waiver of design standards for curve #3 to be less than 150'.

The building envelope for Lot 3 protrudes into the public access easement. Revisions should be made to remove the envelope from the easement.

There are two curve #5 listed in the curve data information. Also, there is a curve labeled

Brian Will, Planning Department

Page 2

July 23, 2003

4 on the plan and there does not appear to be a curve present. Clarification is required.

Show Grainger Parkway on both the east and west side of South 27th Street to ensure that the lane configurations line up.

Change the intersection radii at 27th and Jamie Lane and Grainger Parkway and Williamson Drive to standard commercial vehicle radii.

Recommended improvements to the surrounding arterial street system have been addressed in the Pine Lake Heights South 4th Addition & Stone Ridge Estates Traffic Impact Analysis dated June 2003 prepared by Olsson Associates. However, responsibility for these improvements have not been addressed. As a result of land use changes and the development of the north west corner of 27th and Yankee Hill, the responsible parties for the improvements need to be discussed and agreed upon prior to the approval of this use permit.

General - The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the sizing and general method providing service is satisfactory. Design considerations including, but not limited to, location of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connection storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.

C:\Windows\TEMP\t.notesusr.city.ncsbjw\~8248832.wpd



Dennis L Roth

To: Brian J Will/Notes@Notes

07/14/2003 07:21 AM

cc:

Subject: re: Stone Ridge Estates Corm Center

PROJ NAME: Stone Ridge Estates Corm Center

PROJ NMBR: UP #149, CZ #3409

PROJ DATE: 07/10/03

PLANNER: Brian Will

Finding NO DUPLICATE/SIMILAR sounding names in our geobase for the street name proposed in this project, other than those which are an extension of an existing street. See comments below.

Dennis "denny" Roth, ESD II/CAD Admin
Emergency Communications 9-1-1 Center

STREETS: S 27 St and Grainger Pkwy

PRIVATE: Jamie Ln

COMMENTS: Two other preliminary plat's show Jamie Ln to be an East-West street, HOWEVER there is a portion on this particular sheet showing Jamie as both East-West and a segment running North-South joining Grainger Pkwy with the existing East-West Jamie Ln. We MOST STRONGLY RECOMMEND the north-south street be

RENAMED

to avoid any confusion.

Memo



To: Brian Will, Planning Department

From: Mark Canney, Parks & Recreation

Date: July 22, 2003

Re: Stone Ridge Estates Com. Center UP 149, CZ 3409

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and the following comments:

1. Please locate street trees on Jamie Lane (private road) at appropriate spacing.
2. Consider using more durable plant material such as gro low sumac or chokeberry as a substitute for cotoneaster.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.



MEMORANDUM

Date: July 21, 2003

To: Brian Will
cc: Ben Higgins, Dennis Bartels

From: Devin Biesecker

Subject: *Stone Ridge Estates Comm. Center*

Below are Watershed Management's comments on the Stone Ridge Estates Comm. Center Use Permit. Comments are based on a five-sheet plan set stamped June 10, 2003 by the Planning Department.

1. Minimum opening elevations should be shown for Lots 1 & 3 of Block 1 adjacent to the drainage channel to prevent openings being built below the 100 year water surface elevation.

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Brian Will

DATE: May 27, 2003

DEPARTMENT: Planning

FROM: Chris Schroeder

ATTENTION:

DEPARTMENT: Health

CARBONS TO: Bruce Dart, Director
EH File
EH Administration

SUBJECT: Stone Ridge Estates
Commercial Center
CZ #3409, UP #149

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed Stone Ridge Estates Commercial Center with the following items noted:

- Water and sanitary sewer to be provided by the City of Lincoln.
- If water wells exist on the property, they must be properly decommissioned or permitted.
- If onsite wastewater systems exist on the property, they must be properly abandoned.
- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.
- Provisions should be made for retaining as much tree mass as possible. Alternately, the applicant will need to plan for disposal of tree waste by burying on site, grinding, offering for firewood or hauling to the landfill. Permits for open burning of tree waste within the city limits will not be approved and applications for burning within the 3-mile zone are unlikely to be approved.

MOTION TO AMEND

I hereby move to amend the Conditions recommended by the Lincoln City/Lancaster County Planning Staff Report for Use Permit #149 to read as follows:

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:
 - 1.1 Revise the site plan to show:
 - 1.1.1 Show all setbacks from lot lines to the use permit boundary.
 - 1.1.2 Required screening between the B-2 and residential districts, enhanced by the planting of twice the number of required trees ~~additional landscaping~~ to further buffer the center.
 - 1.1.3 Substitute plants per the Parks and Recreation Department's review.
 - 1.1.4 A sidewalk connection from ~~Lot 4 to the drive entrance at Grainger Parkway including painted walkways across the parking lot;~~ from Lots 7 and 8 to Jamie Lane including painted walkways across the parking lot; and from Lot 8 to South 27th Street including painted walkways across the parking lot. The sidewalk to Lot 5 from South 27th Street must be ADA accessible.
 - 1.1.5 The north leg of Jamie Lane renamed as South 26th Street.
 - 1.1.6 Corrected curve data for the private roadway.
 - 1.1.7 A revised grading and drainage plan approved by Public Works and Utilities.
 - 1.1.8 Note #10 revised to state "MINOR ADJUSTMENTS IN THE FLOOR AREA OF EACH BUILDING MAY MADE AT THE TIME OF BUILDING PERMITS PROVIDED THE TOTAL FLOOR AREA OF THE CENTER DOES NOT EXCEED 151,000 SQUARE FEET. ANY INCREASE IN FLOOR AREA ABOVE 151,000 UP TO THE MAXIMUM ALLOWED FLOOR AREA OF 166,100 MUST BE APPROVED BY ADMINISTRATIVE AMENDMENT."
 - 1.1.9 Lot 3 not protruding into the public access easement.

1.1.10 Sanitary sewer service to Lot 3.

1.1.11 Revise Note 14 to delete the existing language and insert the following: "AT LEAST 50% OF THE EXTERIOR FACADE AREA OF BUILDINGS UNDER 30,000 SQUARE FEET SHALL BE BRICK, STONE OR CULTURED STONE. THE EXTERIOR MATERIALS OF THE PRIMARY FACADES (ABUTTING A PUBLIC STREET OR PRIVATE ROADWAY) FOR BUILDINGS 30,000 SQUARE FEET AND LARGER SHALL CONSIST OF BRICK OR STONE MASONRY, SPLIT-FACE CONCRETE MASONRY, ARCHITECTURAL PRE-CAST, SYNTHETIC STUCCO OR A COMBINATION THEREOF."

1.2 A signed agreement between the applicant and the City regarding financial responsibilities for required off-site improvements.

2. This approval permits 166,100 square feet of commercial floor area with waivers to a sidewalk on the east side of South 26th Street; to allow a street curve with less than a 150' radius; to allow 0' setbacks for Lots 1 – 8, Block 1; and, to reduce the front setback from 50' to 40' along South 27th Street.

General:

3. Before receiving building permits:

3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies and the plans are acceptable.

3.2 The construction plans shall comply with the approved plans.

3.3 Final Plats shall be approved by the City.

Standard:

4. The following conditions are applicable to all requests:

4.1 Before occupying any buildings all development and construction shall have been completed in compliance with the approved plans.

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

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

- 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefore to be paid in advance by the applicant.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Requested by: SEACREST & KALKOWSKI, P.C.