

RESOLUTION NO. A-_____

USE PERMIT NO. 128

1 WHEREAS, Holdrege Investors, L.L.C. and the University Park
2 Congregation of Jehovah’s Witnesses have submitted an application in accordance
3 with Section 27.27.080 and Section 27.31.100 of the Lincoln Municipal Code
4 designated as Use Permit No. 128 for authority to construct 153,000 sq. ft. of office and
5 commercial space on property generally located at the northeast corner of North 84th
6 and Holdrege Streets, and legally described to wit:

7 A portion of the remaining portion of Lot 94 I.T., located in
8 the Southwest Quarter of Section 14, Township 10 North,
9 Range 7 East of the 6th P.M., Lancaster County, Nebraska,
10 and more particularly described as follows:

11 Commencing at the northwest corner of the remaining
12 portion of Lot 93 I.T., said point being 90.00 feet east of the
13 west line of said Southwest Quarter; thence on an assumed
14 bearing of south 00 degrees 56 minutes 03 seconds west
15 along the west line of said remaining portion of Lot 93 I.T., a
16 distance of 294.93 feet to a point of deflection; thence south
17 00 degrees 02 minutes 14 seconds east along the west line
18 of said remaining portion of Lot 93 I.T., a distance of 338.61
19 feet to a southwest corner of said remaining portion of Lot
20 93 I.T.; thence south 71 degrees 35 minutes 42 seconds
21 east along the southwest line of said remaining portion of
22 Lot 93 I.T., a distance of 63.25 feet to a point of deflection;
23 thence south 00 degrees 02 minutes 14 seconds east along
24 a west line of said remaining portion of Lot 93 I.T., a
25 distance of 30.00 feet to a northwest corner of said
26 remaining portion of Lot 94 I.T., said point being the true
27 point of beginning; thence north 89 degrees 58 minutes 15
28 seconds east along the north line of said remaining portion
29 of Lot 94 I.T., a distance of 215.98 feet to a point of
30 curvature; thence along a curve in a clockwise direction
31 having a radius of 400.00 feet, arc length of 172.56 feet,
32 delta angle of 24 degrees 43 minutes 04 seconds, a chord

1 bearing of south 77 degrees 40 minutes 13 seconds east,
2 and a chord length of 171.23 feet to a point of tangency;
3 thence south 65 degrees 18 minutes 41 seconds east, a
4 distance of 201.91 feet to a point; thence south 19 degrees
5 51 minutes 44 seconds west, a distance of 90.57 feet to a
6 point of curvature; thence along a curve in a counter
7 clockwise direction having a radius of 303.00 feet, arc length
8 of 105.69 feet, delta angle of 19 degrees 59 minutes 09
9 seconds, a chord bearing of south 09 degrees 52 minutes
10 10 seconds west, and a chord length of 105.16 feet to a
11 point of tangency; thence south 00 degrees 07 minutes 25
12 seconds east, a distance of 545.29 feet to a point of
13 curvature; thence along a curve in a counter clockwise
14 direction having a radius of 800.00 feet, arc length of 177.56
15 feet, delta angle of 12 degrees 43 minutes 00 seconds, a
16 chord bearing of south 06 degrees 28 minutes 55 seconds
17 east, and a chord length of 177.19 feet to a point of reverse
18 curvature; thence along a curve in a clockwise direction
19 having a radius of 600.00 feet, arc length of 134.46 feet,
20 delta angle of 12 degrees 50 minutes 25 seconds, a chord
21 bearing of south 06 degrees 25 minutes 12 seconds east,
22 and a chord length of 134.18 feet to a point of tangency;
23 thence south 00 degrees 00 minutes 00 seconds east, a
24 distance of 43.74 feet to a point of intersection with the
25 south line of said remaining portion of Lot 94 I.T.; thence
26 north 89 degrees 35 minutes 51 seconds west along the
27 south line of said remaining portion of Lot 94 I.T., a distance
28 of 593.34 feet to a southwest corner of said remaining
29 portion of Lot 94 I.T.; thence north 43 degrees 56 minutes
30 50 seconds west along the southwest line of said remaining
31 portion of Lot 94 I.T., a distance of 28.84 feet to a southwest
32 corner of said remaining portion of Lot 94 I.T.; thence north
33 00 degrees 02 minutes 14 seconds west along the west line
34 of said remaining portion of Lot 94 I.T., a distance of
35 1133.05 feet to a northwest corner of said remaining portion
36 of Lot 94 I.T.; thence north 71 degrees 32 minutes 06
37 seconds east along a northwest line of said remaining
38 portion of Lot 94 I.T., a distance of 63.24 feet to a point of
39 deflection; thence north 00 degrees 02 minutes 14 seconds
40 west along a west line of said remaining portion of Lot 94
41 I.T., a distance of 30.00 feet to the true point of beginning,
42 said tract contains a calculated area of 15.94 acres, or
43 694,140.40 square feet, more or less;

44 WHEREAS, the real property adjacent to the area included within the site

45 plan for this office and commercial development will not be adversely affected; and

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

4 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
5 Lincoln, Nebraska:

6 That the application of Holdrege Investors, L.L.C. and the University Park
7 Congregation of Jehovah's Witnesses, hereinafter referred to as "Permittee", to
8 construct 153,000 sq. ft. of office and commercial space on the property legally
9 described above be and the same is hereby granted under the provisions of Section
10 27.27.080 and Section 27.31.100 of the Lincoln Municipal Code upon condition that
11 construction and operation of said office and commercial development be in strict
12 compliance with said application, the site plan, and the following additional express
13 terms, conditions, and requirements:

14 1. This permit approves 100,000 sq. ft. of office space, 53,000 sq. ft.
15 of commercial space, a church, and a modification of the sign regulations in the O-3
16 district and B-2 district to allow ground signs in the front yard setback provided that said
17 ground signs shall not be located within the first 21' of the front yard setback.

18 2. Before receiving building permits:

19 a. The Permittee must submit an acceptable, revised and
20 reproducible final plan including five copies to the Planning
21 Department.

22 b. The construction plans must conform with the approved
23 plans.

1 c. Final plats within this use permit must be approved by the
2 City.

3 3. Before occupying the dwelling units all development and
4 construction must be completed in conformance with the approved plans.

5 4. All privately-owned improvements shall be permanently maintained
6 by the owner or an appropriately established homeowners association approved by the
7 City Attorney.

8 5. The site plan approved by this permit shall be the basis for all
9 interpretations of setbacks, yards, location of buildings, location of parking and
10 circulation elements, and similar matters.

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

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ___ day of _____, 2001:

Mayor