

RESOLUTION NO. A-_____

COMBINED USE PERMIT/SPECIAL PERMIT NO. 19

1 WHEREAS, Pinnacle Bank and 70th Street Properties, Inc. have submitted
 2 an application designated as Combined Use Permit/Special Permit No. 19 for authority to
 3 develop a 20-bed health care facility, 5,100 square feet of bank/financial, and 24,000
 4 square feet of medical office uses on property located at South 70th Street and
 5 Lincolnshire Road, and legally described to wit:

6 Lot 8, Lincolnshire Square, and Lots 93 and 94 I.T., located in
 7 the Northwest Quarter of Section 34, Township 10 North,
 8 Range 7 East of the 6th P.M., Lincoln, Lancaster County,
 9 Nebraska;

10 WHEREAS, the real property adjacent to the area included within the site
 11 plan for this development of commercial space will not be adversely affected; and

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

15 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
 16 Lincoln, Nebraska:

17 That the application of Pinnacle Bank and 70th Street Properties, Inc.,
 18 hereinafter collectively referred to as "Permittee", to develop a 20-bed health care facility,
 19 5,100 square feet of bank/financial, and 24,000 square feet of medical office uses, on the
 20 property legally described above, be and the same is hereby granted under the provisions
 21 of Sections 27.27.080 and 27.63.080 of the Lincoln Municipal Code upon condition that

1 construction and operation of said commercial development be in strict compliance with
2 said application, the site plan, and the following additional express terms, conditions, and
3 requirements:

4 1. This permit approves a 20-bed health care facility, 5,100 square feet
5 of bank/financial space, and 24,000 square feet of medical office uses.

6 2. A reduction of side yard setback along the north property line from 15
7 feet to 5 feet for parking only is hereby approved.

8 3. The health care facility must conform to all applicable state and federal
9 regulations.

10 4. Before receiving building permits:

11 a. The Permittee must submit a revised and reproducible final
12 plan including five copies.

13 b. The construction plans must conform to the approved plans.

14 5. Before occupying the health care facility all development and
15 construction must be completed in conformance with the approved plans.

16 6. All privately-owned improvements shall be permanently maintained by
17 the Permittee.

18 7. The site plan approved by this permit shall be the basis for all
19 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
20 elements, and similar matters.

21 8. The terms, conditions, and requirements of this resolution shall be
22 binding and obligatory upon the Permittee, their successors, and assigns. The building
23 official shall report violations to the City Council which may revoke the special permit or
24 take such other action as may be necessary to gain compliance.

1 9. The Permittee shall sign and return the City's letter of acceptance to
2 the City Clerk within 30 days following approval of the special permit, provided, however,
3 said 30-day period may be extended up to six months by administrative amendment. The
4 City Clerk shall file a copy of the resolution approving the special permit and the letter of
5 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
6 Permittee.

7 10. The site plan as approved with this resolution voids and supersedes
8 all previously approved site plans, however all resolutions approve previous special permits
9 remain in force unless specifically amended by this Resolution. Special Permit #328 and
10 Special Permit #716 are hereby rescinded.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ____ day of _____, 2002: _____ Mayor
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