

RESOLUTION NO. A-_____

USE PERMIT NO. 147

1 WHEREAS, Susan and Donald Brouse, Thomas Folsom, and National
2 Bank of Commerce Trust and Savings Association has submitted an application in
3 accordance with Section 27.27.080 of the Lincoln Municipal Code designated as Use
4 Permit No. 147 for authority to construct 26,500 sq. ft. of office space, including a drive-
5 thru bank facility, and to defer the review and approval of site plans, ground signs, and
6 required landscape plans to the time of building permits, on property generally located
7 southwest of the intersection of South 27th Street and Porter Ridge Road and legally
8 described to wit:

9 A portion of Lot 32 I.T. located in the South Half of the
10 Northeast Quarter of Section 24, Township 9 North, Range 6
11 East of the 6th P.M., Lancaster County, Nebraska, and more
12 particularly described as follows:

13 Beginning at the northeast corner of Lot 32 I.T. on an
14 assumed bearing along the westerly right-of-way of South
15 27th Street, south 01 degrees 06 minutes 54 seconds west,
16 a distance of 117.55 feet; thence south 01 degrees 04
17 minutes 03 seconds west, a distance of 450.08 feet; thence
18 south 05 degrees 42 minutes 20 seconds west, a distance of
19 74.08 feet; thence south 01 degrees 55 minutes 16 seconds
20 east, a distance of 7.51 feet to the point of beginning; thence
21 continuing along the westerly right-of-way of South 27th
22 Street south 01 degrees 55 minutes 16 seconds east, a
23 distance of 311.24 feet; thence north 89 degrees 40 minutes
24 59 seconds west, a distance of 327.75 feet; thence north 00
25 degrees 19 minutes 01 seconds east, a distance of 311.00
26 feet; thence south 89 degrees 40 minutes 59 seconds east,
27 a distance of 315.60 feet to the point of beginning and
28 containing a calculated area of 100,040.42 square feet or
29 2.30 acres more or less;

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

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

6 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
7 Lincoln, Nebraska:

8 That the application of Susan and Donald Brouse, Thomas Folsom, and
9 National Bank of Commerce Trust and Savings Association, hereinafter referred to as
10 "Permittee", to construct 26,500 sq. ft. of office space, including a drive-thru bank
11 facility, and to defer the review and approval of site plans, ground signs, and required
12 landscape plans to the time of building permits on the property legally described above
13 be and the same is hereby granted under the provisions of Section 27.27.080 of the
14 Lincoln Municipal Code upon condition that construction and operation of said office
15 building be in strict compliance with said application, the site plan, and the following
16 additional express terms, conditions, and requirements:

17 1. This permit approves 26,500 square feet of office floor space which
18 includes 4,500 square feet of floor area for a drive-thru bank facility.

19 2. The Planning Director is hereby authorized to approve the site
20 plans, ground signs, and required landscape plans at the time building permits are
21 issued.

- 1 3. Before receiving building permits:
- 2 a. The Permittee must submit a revised site plan showing
- 3 building layout, including a landscape plan showing all
- 4 required landscaping and screening, and any proposed
- 5 signs.
- 6 b. The construction plans must conform to the approved plans.
- 7 c. A formal agreement concerning the developer's obligation
- 8 for traffic improvements to the surrounding arterial street
- 9 system.
- 10 4. Before occupying the buildings all development and construction
- 11 must be completed in conformance with the approved plans.
- 12 5. All privately-owned improvements must be permanently maintained
- 13 by the Permittee or an appropriately established property owners association approved
- 14 by the City Attorney.
- 15 6. The site plan approved by the permit shall be the basis for all
- 16 interpretations of setbacks, yards, locations, of buildings, location of parking and
- 17 circulation elements, and similar matters.
- 18 7. The terms, conditions, and requirements of this resolution shall be
- 19 binding and obligatory upon the Permittee, its successors and assigns. The building
- 20 official shall report violations to the City Council which may revoke this use permit or
- 21 take such other action as may be necessary to gain compliance.
- 22 8. The Permittee shall sign and return the City's letter of acceptance

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2003: _____ Mayor
