

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 2022

1 WHEREAS, Ridge Development Company and Southview, Inc. has
 2 submitted an application designated as Special Permit No. 2022 for authority to develop
 3 a Planned Service Commercial development in the H-4 General Commercial District for
 4 approximately 172,650 square feet of commercial floor area, with waivers to allow zero
 5 setbacks on certain lots, to reduce the front yard setback along South 27th Street, and to
 6 reduce the minimum lot area, on property generally located northeast of the intersection
 7 of South 27th Street and Yankee Hill Road, and legally described to wit:

8 A portion of Outlot "E" Pine Lake Heights South 4th Addition,
 9 located in the Southwest Quarter of Section 19, Township 9
 10 North, Range 7 East of the 6th P.M., City of Lincoln, Lancaster
 11 County, Nebraska, and more particularly described as follows:

12
 13 Commencing at the southwest corner of said Southwest
 14 Quarter, said point being the true point of beginning; thence on
 15 an assumed bearing of north 00 degrees 02 minutes 09
 16 seconds west along the west line of said Southwest Quarter,
 17 distance of 1,162.79 feet to a point; thence north 89 degrees
 18 57 minutes 52 seconds east, a distance of 238.59 feet to a
 19 point; thence north 00 degrees 29 minutes 28 seconds east, a
 20 distance of 60.80 feet to a point; thence north 89 degrees 57
 21 minutes 52 seconds east, a distance of 55.43 feet to a point;
 22 thence south 75 degrees 54 minutes 57 seconds east, a
 23 distance of 173.43 feet to a point of curvature; thence along a
 24 curve in a clockwise direction, having a radius of 50.00 feet,
 25 arc length of 52.65 feet, delta angle of 60 degrees 19 minutes
 26 54 seconds, a chord bearing of south 45 degrees 45 minutes
 27 00 seconds east, and a chord length of 50.25 feet to a point;
 28 thence south 15 degrees 35 minutes 02 seconds east, a
 29 distance of 45.78 feet to a point; thence south 52 degrees 39
 30 minutes 47 seconds east, a distance of 316.32 feet to a point;

1 thence south 46 degrees 55 minutes 10 seconds east, a
2 distance of 67.29 feet to a point of a non tangent curve; thence
3 along a curve in a counter clockwise direction, having a radius
4 of 200.00 feet, arc length of 68.31 feet, delta angle of 19
5 degrees 34 minutes 10 seconds, a chord bearing of north 33
6 degrees 17 minutes 45 seconds east, and a chord length of
7 67.98 feet to a point of tangency; thence north 23 degrees 30
8 minutes 40 seconds east, a distance of 148.95 feet to a point
9 of a non tangent curve, said point being the intersection with
10 the center line of Grainger Parkway right-of-way; thence along
11 a curve in a counter clockwise direction, having a radius of
12 800.00 feet, arc length of 355.83 feet, delta angle of 25
13 degrees 29 minutes 04 seconds, a chord bearing of south 77
14 degrees 34 minutes 42 seconds east, and a chord length of
15 352.90 feet to a point of intersection with the center line of
16 future South 30th Street right-of-way; thence south 00 degrees
17 19 minutes 13 seconds east along said center line, a distance
18 of 415.97 feet to a point of curvature; thence along a curve in
19 a counter clockwise direction, having a radius of 5,000.00 feet,
20 arc length of 80.39 feet, delta angle of 00 degrees 55 minutes
21 16 seconds, a chord bearing of south 00 degrees 46 minutes
22 51 seconds east along said center line, and a chord length of
23 80.39 feet to a point of tangency; thence south 01 degrees 14
24 minutes 30 seconds east along said center line, a distance of
25 458.42 feet to a point of intersection with the south line of said
26 Southwest Quarter; thence south 88 degrees 45 minutes 30
27 seconds west along the south line of said Southwest Quarter,
28 a distance of 1,266.00 feet to the point of beginning, said tract
29 contains a calculated area of 1,326,955.48 square feet or
30 30.4627 acres, more or less;

31 WHEREAS, the real property adjacent to the area included within the site
32 plan for this Planned Service Commercial development will not be adversely affected; and

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

36 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
37 Lincoln, Nebraska:

1 That the application of Ridge Development Company and Southview, Inc.,
2 hereinafter referred to as "Permittee", to develop a Planned Service Commercial
3 development in the H-4 General Commercial District for approximately 172,650 square feet
4 of commercial floor area, on the property legally described above, be and the same is
5 hereby granted under the provisions of Section 27.63.470 of the Lincoln Municipal Code
6 upon condition that construction and operation of said be in strict compliance with said
7 application, the site plan, and the following additional express terms, conditions, and
8 requirements:

- 9 1. This permit approves 172,650 square feet of commercial floor area.
- 10 2. A waiver of all required yards to allow 0' setback for Lots 1 and 2,
11 Block 1, and Lots 1-12, Block 2, is approved.
- 12 3. A waiver to reduce the front yard setback from 50' to 40' along South
13 27th Street is approved.
- 14 4. A waiver to reduce the minimum lot area in the H-4 district from 15,000
15 square feet to 4,000 square feet is approved.
- 16 5. Before receiving building permits:
 - 17 a. The Permittee must submit an acceptable, revised and
18 reproducible final plan including five copies.
 - 19 b. The construction plans must conform to the approved plans.
 - 20 c. Final Plats within the area of this planned commercial area
21 must be approved by the City.
- 22 6. Before occupying any buildings all development and construction must
23 be completed in conformance with the approved plans.

1 7. All privately-owned improvements must be permanently maintained
2 by the owner or an appropriately established property owners association approved by the
3 City Attorney.

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

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

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2003: _____ Mayor
