

RESOLUTION NO. A-\_\_\_\_\_

SPECIAL PERMIT NO. 04016

1           WHEREAS, Yeutter Family, L.L.C. and Northern Lights, L.L.C. have  
 2 submitted an application designated as Special Permit No. 04016 for authority to develop  
 3 Northern Lights Commercial Center consisting of 103,400 sq. ft. of floor area of planned  
 4 service commercial, with a request to waive setback requirements on property located  
 5 west of North 84th Street and north of Holdrege Street, and legally described to wit:

6                       Lots 1-12, Block 1, Northern Lights 3rd Addition, located in the  
 7 Southeast Quarter of Section 15, Township 10 North, Range  
 8 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska;

9           WHEREAS, the real property adjacent to the area included within the site  
 10 plan for this commercial center will not be adversely affected; and

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

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

16           That the application of Yeutter Family, L.L.C. and Northern Lights, L.L.C.,  
 17 hereinafter referred to as "Permittee", to develop Northern Lights Commercial Center, on  
 18 the property legally described above, be and the same is hereby granted under the  
 19 provisions of Section 27.63.470 of the Lincoln Municipal Code upon condition that  
 20 construction and operation of said commercial center be in strict compliance with said

1 application, the site plan, and the following additional express terms, conditions, and  
2 requirements:

3 1. This permit approves 103,400 sq. ft. of commercial floor area.

4 2. The required 50' front yard setback along Northern Lights Drive is  
5 waived to allow a 20' setback and the required front yard setbacks from the interior private  
6 roadways are waived to allow a 0' setback.

7 3. Before receiving building permits:

8 a. The Permittee must submit an acceptable, revised final plan,  
9 and seven copies.

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

11 4. Before occupying the commercial area, all development and  
12 construction must be completed in conformance with the approved plans.

13 5. All privately-owned improvements must be permanently maintained  
14 by the Permittee or an appropriately established homeowners association approved by the  
15 City Attorney.

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

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

1           8.     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.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_ day of \_\_\_\_\_, 2004:

\_\_\_\_\_  
Mayor