

RESOLUTION NO. A-_____

USE PERMIT NO. 155

1 WHEREAS, William Krein has submitted an application in accordance
2 with Section 27.28.090 of the Lincoln Municipal Code designated as Use Permit No.
3 155 for authority to construct nine 5,000 sq. ft. office buildings on property generally
4 located at S. 56th and Pine Lake Road, and legally described to wit:

5 A portion of Outlot E, Block 4, Aspen 5th Addition located in the
6 North Half of the Northeast Quarter of Section 20, Township 9
7 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County,
8 Nebraska, more particularly described as follows:

9 Commencing at the northeast corner of said Section 20, and
10 extending thence south 89 degrees 43 minutes 49 seconds west
11 on the north line of said Section 20, a distance of 631.50 feet;
12 thence south 00 degrees 16 minutes 11 seconds east, a distance
13 of 434.81 feet to the point of beginning; thence continuing south
14 00 degrees 16 minutes 11 seconds east, a distance of 397.34 feet
15 along the west line of Stephanie Lane; thence south 89 degrees
16 53 minutes 36 seconds west, a distance of 45.86 feet; thence on
17 a curve to the left having a radius of 348.00 feet and an arc length
18 of 382.89 feet, being subtended by a chord of south 58 degrees
19 21 minutes 47 seconds west, a distance of 363.87 feet to the
20 point of tangency of said curve; thence north 63 degrees 09
21 minutes 26 seconds west, a distance of 84.23 feet to the point of
22 curvature of a circular curve to the right having a radius of 150.00
23 feet and an arc length of 86.10 feet, being subtended by a chord
24 of north 46 degrees 42 minutes 49 seconds west, a distance of
25 84.92 feet; thence north 30 degrees 16 minutes 11 seconds west,
26 a distance of 245.26 feet to a point of curvature of a circular curve
27 to the right having a radius of 400.00 feet and an arc length of
28 17.29 feet, being subtended by a chord of north 29 degrees 01
29 minutes 53 seconds west, a distance of 17.29 feet; thence north
30 27 degrees 47 minutes 36 seconds west, a distance of 85.95 feet;
31 thence on a curve to the right having a radius of 212.58 feet and
32 an arc length of 59.72 feet, being subtended by a chord of north
33 81 degrees 40 minutes 58 seconds east, a distance of 59.52 feet
34 to the point of tangency of said curve; thence north 89 degrees 43
35 minutes 49 seconds east, 105.00 feet; thence on a curve to the
36 left having a radius of 272.58 feet and an arc length of 142.72
37 feet, being subtended by a chord of north 74 degrees 43 minutes

1 49 seconds east, a distance of 141.10 feet to the point of
2 tangency of said curve; thence north 59 degrees 43 minutes 49
3 seconds east, a distance of 250.00 feet; thence on a curve to the
4 right having a radius of 120.00 feet and an arc length of 62.83
5 feet, being subtended by a chord of north 74 degrees 43 minutes
6 49 seconds east, a distance of 62.12 feet to the point of tangency
7 of said curve; thence north 89 degrees 43 minutes 49 seconds
8 east, a distance of 87.00 feet to the point of beginning and
9 containing a calculated area of 5.10 acres, more or less;

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

12 WHEREAS, said site plan together with the terms and conditions
13 hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln
14 Municipal 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 William Krein, hereinafter referred to as
18 "Permittee", to construct nine 5,000 sq. ft. office buildings on the property legally
19 described above be and the same is hereby granted under the provisions of Section
20 27.28.090 of the Lincoln Municipal Code upon condition that construction and operation
21 of said office buildings be in strict compliance with said application, the site plan, and
22 the following additional express terms, conditions, and requirements:

23 1. This permit approves nine 5,000 sq. ft. office buildings and a waiver
24 of the requirement that a lot front upon and have access to a public street or private
25 road to allow Lots 1 - 9, Block 5, to not front upon and have access to a public street or
26 private roadway.

27 2. The Permittee must revise the site plan as follows:

28 a. Provide a blanket utility easement over Block 5, excluding
29 building envelopes. Provide a 5' utility easement on the

- 1 west lot line of Lots 21-30, Block 4.
- 2 b. Change the name of the private roadway. The existing Old
3 Creek Road is primarily an east-west street and numbered
4 accordingly. The new street is north-south. continued east-
5 west numbering in a north-south street is very often
6 confusing.
- 7 c. Revise the intersection of Allen Road and Old Creek Road
8 to meet design standards.
- 9 d. Change the 90 degree parking stalls along Old Creek Road
10 to parallel parking stalls.
- 11 3. Before receiving building permits:
- 12 a. The Permittee must submit an acceptable, revised and
13 reproducible final plan including five copies.
- 14 b. The construction plans must conform to the approved plans.
- 15 c. Final plats within the area of this use permit must be
16 approved by the City.
17
- 18 4. Before occupying the office buildings, all development and
19 construction must be completed in conformance with the approved plans.
- 20 5. All privately-owned improvements must be permanently maintained
21 by the owner or an appropriately established property owners association approved by
22 the City Attorney.
- 23 6. The site plan approved by this permit shall be the basis for all
24 interpretations of setbacks, yards, locations of buildings, location of parking and
25 circulation elements, and similar matters.
- 26 7. The terms, conditions, and requirements of this resolution shall be
27 binding and obligatory upon the Permittee, his successors and assigns. The building
28 official shall report violations to the City Council which may revoke this use permit or

1 take such other action as may be necessary to gain compliance.

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

8 9. The site plan as approved with this resolution voids and
9 supersedes all previously approved site plans, however, all resolutions approving
10 previous permits remain in force unless specifically amended by this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

<p>Approved this ___ day of _____, 2004:</p> <p>_____</p> <p>Mayor</p>
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