

(Appeal of the Planning Commission Action of Denial)  
RESOLUTION NO. A-\_\_\_\_\_

SPECIAL PERMIT NO. 05003

1           WHEREAS, Lyle Mayer has submitted an application designated as  
2 Special Permit No. 05003 for authority to develop Meadow View 2nd Addition  
3 Community Unit Plan for 57 dwelling units, with requested waivers to eliminate the  
4 preliminary plat process, to waive ornamental street lighting, sidewalks, street trees,  
5 landscape screens, block length, non-perpendicular lot lines, lot depth to width ratio,  
6 and to allow sanitary sewer to flow opposite street grade where necessary, on property  
7 located at the northeast corner of S.W. 84th Street and W. Pioneers Blvd., and legally  
8 described to wit:

9           A portion of Lot 8 I.T., located in the Southwest Quarter of  
10 Section 2, Township 9 North, Range 5 East of the 6th P.M.,  
11 Lancaster County, Nebraska, and more particularly  
12 described as follows:

13           Commencing at the southeast corner of said Lot 8 I.T., said  
14 point being the southeast corner of said Southwest Quarter,  
15 said point being the true point of beginning; thence west  
16 along the south line of said Lot 8 I.T., said line being the  
17 south line of said Southwest Quarter, on an assumed  
18 bearing north 89 degrees 50 minutes 16 seconds west, a  
19 distance of 2,007.22 feet to a point located 617.50 feet east  
20 of the west line of said Southwest Quarter; thence north 00  
21 degrees 28 minutes 15 seconds west along a line located  
22 617.50 feet east of and parallel with the west line of said  
23 Southwest Quarter, a distance of 610.04 feet to a point;  
24 thence north 89 degrees 50 minutes 16 seconds west along  
25 a line located 610.00 feet north of and parallel with the south  
26 line of said Southwest Quarter, a distance of 557.10 feet to  
27 a point of intersection with the west line of said Lot 8 I.T.,  
28 said point being on the east line of S.W. 84th Street right-of-

1 way, said point being 60.43 feet east of the west line of said  
2 Southwest Quarter; thence north 00 degrees 25 minutes 56  
3 seconds west along the west line of said Lot 8 I.T., said line  
4 being the east line of S.W. 84th Street right-of-way, a  
5 distance of 2,034.84 feet to the northwest corner of said Lot  
6 8 I.T., said point being on the north line of said Southwest  
7 Quarter, said point being 61.80 feet east of the northwest  
8 corner of said Southwest Quarter; thence south 89 degrees  
9 49 minutes 15 seconds east along the north line of said Lot  
10 8 I.T., said line being the north line of said Southwest  
11 Quarter, a distance of 2,575.46 feet to the northeast corner  
12 of said Lot 8 I.T., said point being the northeast corner of  
13 said Southwest Quarter; thence south 00 degrees 12  
14 minutes 00 seconds east along the east line of said Lot 8  
15 I.T., said line being the east line of said Southwest Quarter,  
16 a distance of 2,644.02 feet to the point of beginning, said  
17 tract contains a calculated area of 6,456,279.55 square feet  
18 or 148.2158 acres, more or less;

19 WHEREAS, the Lincoln City-Lancaster County Planning Commission held  
20 a public hearing on March 2, 2005 and denied Resolution No. PC-00904 which would  
21 have conditionally approved Special Permit No. 05003; and

22 WHEREAS, Lyle Mayer (Owner) and Hub Hall (Contract Purchaser) have  
23 appealed the action of the Lincoln City - Lancaster County Planning Commission and  
24 are requesting that Special Permit No. 05003 be approved; and

25 WHEREAS, the community as a whole, the surrounding neighborhood,  
26 and the real property adjacent to the area included within the site plan for this  
27 community unit plan will be adversely affected by granting such a permit; and

28 WHEREAS, said site plan together with the terms and conditions  
29 hereinafter set forth are not consistent with the comprehensive plan of the City of  
30 Lincoln and with the intent and purpose of Title 27 of the Lincoln Municipal Code to  
31 promote the public health, safety, and general welfare; and

32 WHEREAS, the final action of the Lincoln City - Lancaster County  
33 Planning Commission should be affirmed.

1                   NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
2 Lincoln, Nebraska:

3                   That the application of Lyle Mayer, hereinafter referred to as "Permittee",  
4 to develop Meadow View 2nd Addition Community Unit Plan for 57 dwelling units be  
5 and the same is hereby denied.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

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

Approved this \_\_\_\_ day of \_\_\_\_\_, 2005:

\_\_\_\_\_  
Mayor