

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

USE PERMIT NO. 97A

1           WHEREAS, William Krein has submitted an application in accordance  
2 with Sections 27.31.100 and 27.27.080 of the Lincoln Municipal Code designated as  
3 Use Permit No. 97A for authority to amend the use permit to develop 104,000 square  
4 feet of commercial space, with a requested waiver of the required front yard setback  
5 along S. 56th Street from 50 feet to 40 feet and along Red Rock Lane from 50 feet to 20  
6 feet, on property generally located at S. 56th Street and Pine Lake Road, legally  
7 described as:

8           Lot 1, Block 1, Aspen 4th Addition; Outlot B, Block 2, Aspen  
9           4th Addition; Lots 1-4, Aspen 19th Addition, located in the  
10          Northeast Quarter of Section 20, Township 9 North, Range 7  
11          East of the 6th P.M., Lancaster County, Nebraska;

12          WHEREAS, the real property adjacent to the area included within the site  
13 plan for this commercial development will not be adversely affected; and

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

17          NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
18 Lincoln, Nebraska:

19          That the application of William Krein, hereinafter referred to as  
20 "Permittee", to develop 104,000 square feet of commercial and office space be and the  
21 same is hereby granted under the provisions of Sections 27.31.100 and 27.27.080 of

1 the Lincoln Municipal Code upon condition that construction and operation of said  
2 commercial development be in strict compliance with said application, the site plan, and  
3 the following additional express terms, conditions, and requirements:

4 1. This permit approves the development of 104,000 square feet of  
5 commercial and office space as shown on the approved site plan.

6 2. A waiver of the required front yard setback along S. 56th Street  
7 from 50 feet to 40 feet and along Red Rock Lane from 50 feet to 20 feet is hereby  
8 approved.

9 3. Before receiving building permits the Permittee must submit a  
10 revised and reproducible final plan including 5 copies showing the following revisions  
11 and the plans are acceptable:

12 a. The construction plans must conform to the approved plans.

13 b. Final Plans shall be approved by the City.

14 4. Before occupying the buildings all development and construction  
15 must be completed in compliance with the approved plans.

16 5. All privately-owned improvements shall be permanently maintained  
17 by the Permittee or an appropriately established association approved by the City  
18 Attorney.

19 6. The site plan approved with this permit shall be the basis for all  
20 interpretations of setbacks, yards, locations of buildings, location of parking and  
21 circulation elements, and similar matters.

22 7. This resolution's terms, conditions, and requirements bind and  
23 obligate the Permittee, its successors and assigns.

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

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

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

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

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

\_\_\_\_\_  
Mayor