

RESOLUTION NO. A-_____

USE PERMIT NO. 05004

1 WHEREAS, Ridge Development Company has submitted an application in
2 accordance with Section 27.31.100 of the Lincoln Municipal Code designated as Use Permit
3 No. 243 to develop 31,500 square feet of office and commercial floor area, including a request
4 to reduce the required front yard setback to 40 feet along Yankee Hill Road, to 30 feet
5 along South 14th Street, and to reduce the required side yard setback to 20 feet
6 adjacent to R-3 property, on property generally located at South 14th Street and Yankeek Hill
7 Road, legally described to wit:

8 Lot 85 I.T., located in the Southwest Quarter of Section 24,
9 Township 9 North, Range 6 East of the 6th P.M., Lincoln,
10 Lancaster County, Nebraska;

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

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

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

18 That the application of Ridge Development Company, hereinafter referred to as
19 "Permittee", to develop 31,500 square feet of office and commercial floor area be and the same
20 is hereby granted under the provisions of Section 27.31.100 of the Lincoln Municipal Code upon
21 condition that construction and operation of said office and commercial space be in strict
22 compliance with said application, the site plan, and the following additional express terms,
23 conditions, and requirements:

- 1 1. This approval permits 31,500 square feet of retail, including a
2 convenience store, restaurant with drive-through, and office uses.
- 3 2. The setback requirements of Lincoln Municipal Code § 27.31.090 are
4 modified to reduce the required yards as follows: the front yard to 40' along Yankee Hill Road
5 and to 30' along South 14th Street, and the side yard to 20' adjacent to R-3 property.
- 6 3. Before receiving building permits:
 - 7 a. The Permittee must submit a five copies of a revised final plan
8 and the plans are acceptable:
 - 9 b. The construction plans shall comply with the approved plans.
 - 10 c. Final Plats shall be approved by the City.
- 11 4. Before occupying the building all development and construction must be
12 completed in compliance with the approved plans.
- 13 5. All privately-owned improvements shall be permanently maintained by the
14 owner or an appropriately established owners association approved by the City Attorney.
- 15 6. The site plan approved by this permit shall be the basis for all
16 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
17 elements, and similar matters.
- 18 7. This resolution's terms, conditions, and requirements bind and obligate
19 the Permittee, its successors and assigns.
- 20 8. The Permittee shall sign and return the letter of acceptance to the City
21 Clerk within 30 days following the approval of the special permit, provided, however, said 30-
22 day period may be extended up to six months by administrative amendment. The clerk shall file
23 a copy of the resolution approving the special permit and the letter of acceptance with the
24 Register of Deeds, filling fees therefor to be paid in advance by the Permittee. 1.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2005:

Mayor