

RESOLUTION NO. A-_____

USE PERMIT NO. 106B

1 WHEREAS, One Vista, LLC has submitted an application in accordance with
 2 Sections 27.27.080 of the Lincoln Municipal Code designated as Use Permit No. 106B to add
 3 approximately 60,000 sq. ft. of additional floor area with requested adjustments to the required
 4 parking and the front yard setback along Pioneers Boulevard, on property generally located at
 5 65th Street and Pioneers Boulevard, and legally described as:

6 Lots 1 and 2, Talent Plus Addition, and Lot 126 I.T. in the
 7 Southeast Quarter of Section 4, Township 9 North, Range 7 East
 8 of the 6th P.M., Lincoln, Lancaster County, Nebraska;

9 and

10 That part of Lot 127 I.T., located in the Southwest Quarter of the
 11 Southeast Quarter of Section 4, Township 9 North, Range 7 East
 12 of the 6th P.M., Lincoln, Lancaster County, Nebraska, more
 13 particularly described as follows:

14 Commencing at the southeast corner of Lot 126 I.T. in said
 15 Southwest Quarter, said point being on the north right-of-way line
 16 of Pioneers Boulevard; thence westerly on said north right-of-way
 17 line, on an assigned bearing of south 89 degrees 48 minutes 43
 18 seconds west, a distance of 100.00 feet, to the point of beginning;
 19 thence continuing westerly on said right-of-way line, south 89
 20 degrees 48 minutes 43 seconds west, 479.63 feet; thence
 21 northeasterly, north 46 degrees 47 minutes 50 seconds east,
 22 350.70 feet, to a point on the west line of said Lot 126 I.T.; thence
 23 southeasterly on said west line, south 43 degrees 12 minutes 10
 24 seconds east, 327.20 feet to the point of beginning;

25 WHEREAS, the real property adjacent to the area included within the site plan for
 26 this amendment to the development within the use permit will not be adversely affected; and

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

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

3 That the application of One Vista, LLC, hereinafter referred to as "Permittee", to
4 add approximately 60,000 sq. ft. of additional floor area and to adjust the required parking and
5 the front yard setback along Pioneers Boulevard, on the property legally described above be
6 and the same is hereby granted under the provisions of Section 27.27.080 of the Lincoln
7 Municipal Code upon condition that construction and operation of said development be in strict
8 compliance with said application, the site plan, and the following additional express terms,
9 conditions, and requirements:

10 1. This permit approves an additional 60,000 square feet of office floor area with an
11 adjustment to reduce the required parking from 200 to 147 spaces, and an adjustment to reduce
12 the front setback along Pioneers Blvd from 20' to 13'.

13 2. The City Council approves associated request, Change of Zone 07033.

14 3. Upon approval of the use permit by the City Council, the developer shall cause to
15 be prepared and submitted to the Planning Department 5 copies of the revised site plan
16 showing the following revisions before receiving building permits.

17 a. Remove the notes on the site plan and in the General Notes section
18 stating that parking will be provided in compliance with LMC, and replace
19 with a note that includes approved floor area amounts and numbers of
20 parking spaces, and that clearly indicates the parking adjustments that
21 have been granted.

22 b. Show required right-of-way dedication along Pioneers Blvd.

23 c. Revise the legend to include a symbol for the building envelopes as
24 shown on the site plan.

25 d. Revise the legal description to reflect current lots.

26 e. Correct the title block to state 'Use Permit Drawing 106B'.

27 f. Storm water calculations showing how the storm water control area
28 functions to the satisfaction of Public Works and Utilities.

29 g. Show easements per the 6/5/07 L.E.S. review.

1 h. A lighting plan which complies with City Design Standards. Applicant
2 shall provide a copy of its proposed lighting plan to the Hyde Executive
3 Board for its review, comment and suggestions.

4 i. A landscape plan that complies with City Design Standards and is
5 available to neighboring residents for their comments and suggestions.

6 4. The construction plans shall comply with the approved plans.

7 5. Before occupying the new office building all development and construction shall
8 have been completed in compliance with the approved plans.

9 6. All privately-owned improvements shall be permanently maintained by the owner.

10 7. The site plan accompanying this permit shall be the basis for all interpretations of
11 setbacks, yards, locations of buildings, location of parking and circulation elements, and similar
12 matters.

13 8. This resolution's terms, conditions, and requirements bind and obligate the
14 Permittee, its successors and assigns.

15 9. The Applicant shall sign and return the letter of acceptance to the City Clerk
16 within 60 days following the approval of the use permit, provided, however, said 60-day period
17 may be extended up to six months by administrative amendment. The clerk shall file a copy of
18 the resolution approving the use permit and the letter of acceptance with the Register of Deeds,
19 filling fees therefor to be paid in advance by the Applicant.

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2006: _____ Mayor
