

RESOLUTION NO. A-_____

USE PERMIT NO. 131

1 WHEREAS, Krein Real Estate, Inc. has submitted an application in
 2 accordance with Section 27.27.080 of the Lincoln Municipal Code designated as Use
 3 Permit No. 131 for authority to construct seven 5,000 sq. ft. office/medical buildings on
 4 property generally located at South 56th Street, 1/4 mile south of Old Cheney Road,
 5 and legally described to wit:

6 A portion of Lot 43 Irregular Tract, located in the Northeast
 7 Quarter of Section 17, Township 9 North, Range 7 East of
 8 the Sixth Principal Meridian, Lancaster County, Nebraska,
 9 more particularly described by metes and bounds as follows:

10 Commencing at the East Quarter corner of Section 17,
 11 Township 9 North, Range 7 East of the Sixth Principal
 12 Meridian, Lancaster County, Nebraska; thence north 00
 13 degrees 00 minutes 00 seconds west (an assumed bearing)
 14 on the east line of the Northeast Quarter of said Section 17,
 15 a distance of 285.00 feet; thence south 89 degrees 53
 16 minutes 46 seconds west, a distance of 33.00 feet to the
 17 point of beginning; thence south 89 degrees 58 minutes 09
 18 seconds west, a distance of 530.21 feet; thence north 00
 19 degrees 00 minutes 33 seconds east, for a distance of
 20 130.00 feet; thence north 89 degrees 58 minutes 09
 21 seconds east, for a distance of 130.00 feet; thence north 00
 22 degrees 00 minutes 33 seconds east, for a distance of
 23 105.00 feet; thence south 89 degrees 58 minutes 09
 24 seconds west, for a distance of 130.00 feet; thence north 00
 25 degrees 00 minutes 33 seconds east, for a distance of
 26 1072.33 feet; thence north 89 degrees 53 minutes 46
 27 seconds east, for a distance of 288.53 feet; thence south 00
 28 degrees 04 minutes 02 seconds west, for a distance of
 29 548.15 feet; thence south 16 degrees 53 minutes 42
 30 seconds west, for a distance of 142.43 feet; thence south 00
 31 degrees 04 minutes 02 seconds west, for a distance of
 32 134.22 feet; thence south 49 degrees 59 minutes 19
 33 seconds east, for a distance of 348.16 feet; thence south 00
 34 degrees 00 minutes 00 seconds east, for a distance of
 35 150.00 feet; thence north 90 degrees 00 minutes 00

1 seconds east, for a distance of 17.00 feet; thence south 00
2 degrees 00 minutes 00 seconds east, for a distance of
3 115.06 feet to the point of beginning and containing a
4 calculated area of 436,875.87 square feet or 10.029 acres
5 more or less;

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

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

11 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
12 Lincoln, Nebraska:

13 That the application of Krein Real Estate, Inc., hereinafter referred to as
14 "Permittee", to construct seven 5,000 sq. ft., one story, office/medical buildings and
15 associated parking on the property legally described above be and the same is hereby
16 granted under the provisions of Section 27.28.090 of the Lincoln Municipal Code upon
17 condition that construction and operation of said office/medical buildings be in strict
18 compliance with said application, the site plan, and the following additional express
19 terms, conditions, and requirements:

- 20 1. This permit approves:
 - 21 a. 35,000 total square feet of floor area in seven buildings.
 - 22 b. A waiver to the private roadway design standards to allow 21
23 ft. pavement width.
 - 24 c. A waiver of the sidewalk requirements to allow sidewalks on
25 only one side of the private roadways.

- 1 2. Before receiving building permits:
 - 2 a. The Permittee must submit a revised and reproducible final
 - 3 plan and five copies to the Planning Department.
 - 4 b. The construction plans must conform to the approved plans.
 - 5 c. The City must approve final plats within the area of this Use
 - 6 Permit.
- 7 3. Before occupying the buildings, all development and construction
- 8 must be completed in conformance to the approved plans.
- 9 4. All privately owned improvements must be permanently maintained
- 10 by the Permittee or an appropriately established owners association approved by the
- 11 City Attorney.
- 12 5. The site plan, approved by this permit, shall be the basis for all
- 13 interpretations of setbacks, yards, locations of buildings, location of parking and
- 14 circulation elements, and similar matters.
- 15 6. The terms, conditions, and requirements of this resolution shall be
- 16 binding and obligatory upon the Permittee, its successors and assigns. The building
- 17 official shall report violations to the City Council which may revoke this use permit or
- 18 take such other action as may be necessary to gain compliance.
- 19 7. The Permittee shall sign and return the City's letter of acceptance
- 20 to the City Clerk within 30 days following approval of this use permit, provided, however,
- 21 said 30-day period may be extended up to six months by administrative amendment.
- 22 The City Clerk shall file a copy of the resolution approving this use permit and the letter
- 23 of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by
- 24 the Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant