

City Council Introduction: **Monday**, September 13, 2004
Public Hearing: **Monday**, September 20, 2004, at **1:30 p.m.**

Bill No. 04R-240

FACTSHEET

TITLE: **USE PERMIT NO. 117A**, an amendment to the Horizon Business Center, requested by Security First Bank, to allow a ground sign location beyond the 30-foot requirement for the I-3 Employment Center Zoning District, on property generally located at South 14th Street and Pine Lake Road.

STAFF RECOMMENDATION: Conditional Approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 08/18/04
Administrative Action: 08/18/04

RECOMMENDATION: Conditional Approval (8-0: Carlson, Carroll, Krieser, Marvin, Pearson, Bills-Strand, Sunderman and Taylor voting 'yes'; Larson absent).

FINDINGS OF FACT:

1. This is a proposal to modify the sign requirement for the pad site ground sign to be located at 95' versus 30' from the pad site building.
2. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.3, concluding that this amendment would allow the permitted ground sign to be located in a more appropriate location, more than 30' from the building. This request is consistent with the intent of the sign requirements for the I-3 Employment Center District and the zoning ordinance.
3. On August 18, 2004, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
4. On August 18, 2004, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend conditional approval, as set forth in the staff report dated August 4, 2004.
5. The Site Specific conditions of approval required to be completed prior to scheduling this application on the City Council agenda have been satisfied.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: September 7, 2004

REVIEWED BY: _____

DATE: September 7, 2004

REFERENCE NUMBER: FS\CC\2004\UP.117A

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for August 18, 2004 PLANNING COMMISSION MEETING

P.A.S.: Use Permit #117A - Horizon Business Center

PROPOSAL: To allow a ground sign location beyond requirements for the I-3 district.

MODIFICATION REQUEST: To allow a ground sign more than thirty feet from the building.

LAND AREA: 130.78 acres more or less. The lot in question is 2.10 acres, more or less

CONCLUSION: This would allow the permitted ground sign to be located in a more appropriate location, more than thirty feet from the building. This request is consistent with the intent of the sign requirements for the I-3 district and the Zoning Ordinance.

RECOMMENDATION:

1. Allow the ground sign location as shown.

Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: A portion of Lots 9 I.T, 39 I.T., All of lots 38 I.T., 23 I.T., and lot 22 I.T., All located in Section 23, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska. Meets and bounds attached.

LOCATION: South 14th and Garrett Lane.

EXISTING ZONING: I-3 Employment Center District

EXISTING LAND USE: Bank

SURROUNDING LAND USE AND ZONING:

adjacent to this amendment

North: I - 3 Office, Commercial

South: I - 3 Office, Commercial

West: I - 3 Office, Commercial

East: B - 2 Commercial

HISTORY: UP#117 - Approved on September 17, 1999.

ANALYSIS:

1. The following signs are allowed in the I-3 district (27.69.081, paraphrased)
 - a. On-premise wall and projecting signs not exceeding 30% of wall coverage or 500 square feet in area per building facade, whichever is less,
 - b. One pedestrian marquee sign per entrance.....
 - c. Two on premise entrance ground signs, not exceeding 300 square feet in area.
 - d. One on premise ground sign for each free standing pad site building is allowed. Such sign shall not exceed fifty square feet in area and eight feet in height and **shall be located within thirty feet of the pad site building.**
 - e. Permitted wall sign may exceed five hundred feet.....
 - f. The sign regulations in **subsections ©) and (d) may be modified by the City Council.**
2. The plan submitted shows a 49.5 square foot, 8 foot high ground sign located at the entrance to the Security First Bank lot, and located 95' from the building.
3. A modification is requested under section 27.69.081 (f) to allow the sign to exceed the 30' distance up to the 95' shown. The 30' pad sign language was put in place in the ordinance to insure the sign was in proximity and related to the pad site. The 30' dimension came from a standard used by the state for distance of a commercial sign from the place of business. In this case, there is a distinct parcel both the business and sign are located on. The parking and layout dictate the requested sign location.
4. The sign location does not interfere with sight distance and is better located for visibility and function. It is outside of the required setbacks.
5. This affects only the Security First Bank parcel, Lot four, Horizon Business Center 3rd Addition.

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

- 1.1 Revise the site plan to add the note 10 symbol and “cloud” the location on the site plan.
2. This amendment approves modification to the sign requirement for the pad site ground sign to be located at 95' verses 30' from the pad site building.

General:

3. Before receiving building permits:
 - 3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies.
 - 3.2 The construction plans shall comply with the approved plans.

Standard:

4. The following conditions are applicable to all requests:
 - 4.1 Before installing the sign all development and construction shall have been completed in compliance with the approved plans.
 - 4.2 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 4.4 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.
5. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:

Mike DeKalb
441-6370, mdekalb@lincoln.ne.gov
Planner

August 4, 2004

**APPLICANT/
OWNER:**

Security First Bank
5710 S. 53rd Street
Lincoln, NE 68516 (402) 323-8011

CONTACT:

Susan Twiehaus
Security First Bank
5710 S. 53rd Street
Lincoln, NE 68516 (402) 323-8011

USE PERMIT NO. 117A

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

August 18, 2004

Members present: Carlson, Carroll, Krieser, Marvin, Pearson, Bills-Strand, Sunderman and Taylor; Larson absent.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 04043; CHANGE OF ZONE NO. 04047; CHANGE OF ZONE NO. 04048; SPECIAL PERMIT NO. 1692C, Amendment to the WILDERNESS RIDGE COMMUNITY UNIT PLAN; USE PERMIT NO. 126B; USE PERMIT NO. 117A; USE PERMIT NO. 123C; SPECIAL PERMIT NO. 04004A, Amendment to the STONE BRIDGE CREEK COMMUNITY UNIT PLAN; and COUNTY FINAL PLAT NO. 04075, OAK PRAIRIE ESTATES.**

Item No. 1.1, Change of Zone No. 04043, and Item No. 1.6, Special Permit No. 04004A, were removed from the Consent Agenda and scheduled for separate public hearing.

Marvin moved to approve the remaining Consent Agenda, seconded by Carroll and carried 8-0: Carlson, Carroll, Krieser, Marvin, Pearson, Bills-Strand, Sunderman and Taylor voting 'yes'; Larson absent.



2002 aerial

Use Permit #117A S. 14th & Pine Lake Rd.

Pine Lake Rd.

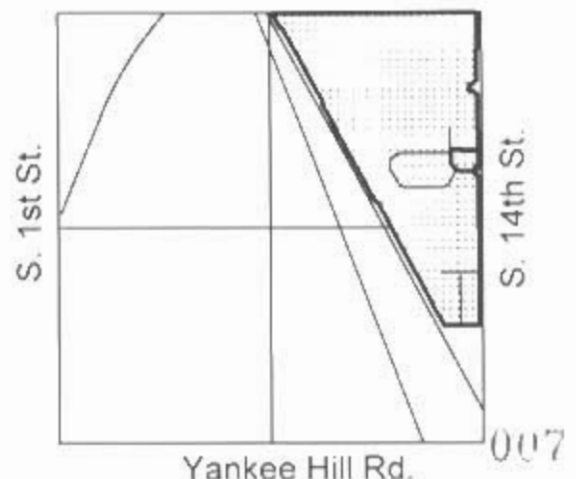
Zoning:

- R-1 to R-8 Residential District
 AG Agricultural District
 AGR Agricultural Residential District
 R-C Residential Conservation District
 O-1 Office District
 O-2 Suburban Office District
 O-3 Office Park District
 R-T Residential Transition District
 B-1 Local Business District
 B-2 Planned Neighborhood Business District
 B-3 Commercial District
 B-4 Lincoln Center Business District
 B-5 Planned Regional Business District
 H-1 Interstate Commercial District
 H-2 Highway Business District
 H-3 Highway Commercial District
 H-4 General Commercial District
 I-1 Industrial District
 I-2 Industrial Park District
 I-3 Employment Center District
 P Public Use District

One Square Mile
 Sec. 23 T9N R6E



Zoning Jurisdiction Lines
 City Limit Jurisdiction



Yankee Hill Rd.

Lincoln City - Lancaster County Planning Dr

LEGAL DESCRIPTION

A TRACT OF LAND COMPOSED OF A PORTION OF LOTS 9 I.T., 39 I.T., ALL OF LOTS 38 I.T., 23 I.T., AND LOT 22 I.T., ALL LOCATED IN SECTION 23, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A NORTHEAST CORNER OF SAID LOT 38 I.T., SAID POINT BEING ON THE SOUTH LINE OF LOT 7 I.T., AND THE TRUE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 00 MINUTES 02 SECONDS EAST, ALONG THE EAST LINE OF SAID LOTS 38 I.T. AND LOT 39 I.T., SAID LINE BEING 50' WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 23, A DISTANCE OF 2199.65' TO THE SOUTHEAST CORNER OF SAID LOT 39 I.T.; THENCE SOUTH 00 DEGREES 05 MINUTES 00 SECONDS EAST, ALONG THE EAST LINE OF SAID LOT 23 I.T., SAID LINE BEING 50' WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 23, A DISTANCE OF 548.35' TO THE SOUTHEAST CORNER OF SAID LOT 23 I.T.; THENCE SOUTH 89 DEGREES 59 MINUTES 53 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 22 I.T., A DISTANCE OF 16.98' TO THE NORTHEAST CORNER OF SAID LOT 22 I.T.; THENCE SOUTH 00 DEGREES 04 MINUTES 47 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 22 I.T., SAID LINE BEING 33' WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 23, A DISTANCE OF 637.99' TO THE SOUTHEAST CORNER OF SAID LOT 22 I.T.; THENCE SOUTH 89 DEGREES 55 MINUTES 48 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 22 I.T., A DISTANCE OF 462.43' TO THE SOUTHWEST CORNER OF SAID LOT 22 I.T.; THENCE NORTH 28 DEGREES 30 MINUTES 56 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 22 I.T., SAID LINE BEING THE EAST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, A DISTANCE OF 725.40' TO THE NORTHWEST CORNER OF SAID LOT 22 I.T., THENCE NORTH 28 DEGREES 30 MINUTES 24 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 23 I.T., SAID LINE BEING THE EAST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, A DISTANCE OF 630.92' TO THE NORTHWEST CORNER OF SAID LOT 23 I.T.; THENCE NORTH 28 DEGREES 30 MINUTES 42 SECONDS WEST, ALONG A WEST LINE OF SAID LOT 39 I.T., SAID LINE BEING THE EAST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, A DISTANCE OF 351.69' TO A POINT OF DEFLECTION; THENCE NORTH 47 DEGREES 51 MINUTES 05 SECONDS WEST, ALONG A WEST LINE OF LOT 39 I.T., SAID LINE BEING THE EAST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, A DISTANCE OF 75.63' TO A POINT OF DEFLECTION; THENCE NORTH 28 DEGREES 30 MINUTES 42 SECONDS WEST, ALONG A WEST LINE OF SAID LOT 39 I.T., AND LOT 9 I.T., SAID LINE BEING THE EAST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, A DISTANCE OF 1319.59' TO A POINT OF DEFLECTION; THENCE NORTH 14 DEGREES 07 MINUTES 38 SECONDS EAST, ALONG A WEST LINE OF SAID LOT 9 I.T., SAID LINE BEING THE EAST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, A DISTANCE OF 36.91' TO A POINT OF DEFLECTION; THENCE NORTH 28 DEGREES 30 MINUTES 42 SECONDS WEST, ALONG A WEST LINE OF SAID LOT 9 I.T., SAID LINE BEING THE EAST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, A DISTANCE OF 1062.35' TO A POINT OF DEFLECTION; THENCE SOUTH 61 DEGREES 29 MINUTES 18 SECONDS WEST, ALONG A WEST LINE OF SAID LOT 9 I.T., SAID LINE BEING THE EAST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, A DISTANCE OF 24.92' TO A POINT OF SPIRAL CURVATURE; THENCE ALONG A SPIRAL CURVE TO THE RIGHT, ALONG A WEST LINE OF SAID LOT 9 I.T., SAID LINE BEING THE EAST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RIGHT-OF-WAY, HAVING A CHORD BEARING OF NORTH 27 DEGREES 03 MINUTES 50 SECONDS WEST, A CHORD DISTANCE OF 207.09' A 'X' VALUE OF 207.03 AND A 'Y' VALUE OF 5.23 TO A NORTHWEST CORNER OF SAID LOT 9 I.T.; THENCE SOUTH 89 DEGREES 51 MINUTES 27 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 9 I.T., AND LOT 38 I.T., A DISTANCE OF 2369.36' TO A NORTHEAST CORNER OF SAID LOT 38 I.T.; THENCE SOUTH 00 DEGREES 00 MINUTES 12 SECONDS WEST, ALONG A EAST LINE OF SAID LOT 38 I.T., A DISTANCE OF 459.67' TO A POINT; THENCE SOUTH 89 DEGREES 44 MINUTES 04 SECONDS EAST, ALONG NORTH LINE OF SAID LOT 38 I.T., A DISTANCE OF 189.88' TO THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINS A CALCULATED AREA OF 130.78 ACRES, OR 5,697,102 SQUARE FEET, MORE OR LESS.



Security
First
Bank

5710 South 53rd
Lincoln, NE 68516
402-323-8011
Fax: 402-323-8021

July 19, 2004

City of Lincoln
Planning Department
Mr. Marvin Krout – Director of Planning
555 South 10th Street
Lincoln, NE 68508

Dear Mr. Krout;

Security First Bank is making application to amend Use Permit #117 for the Horizon Business Center located south of Pine Lake Road and west of South 14th Street.

We are making application to allow locating a ground sign outside of the "30' of building pad site" requirement under the I-3 sign ordinance # 27.69.081 paragraph (d).

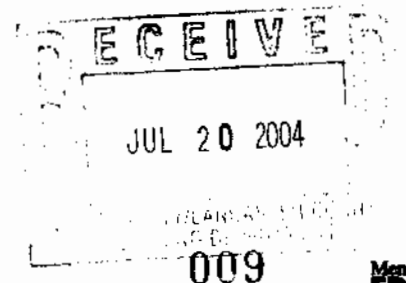
As part of this application we are providing: completed application form; \$740.00 application fee; Certificate of Ownership; twenty copies of the Horizon Business Center site plan revised by Olsson and Associates; twenty copies of the Landscape Plan revised by Savage Palandri Architects; and twenty copies of the sign sketch #04895A prepared by Nebraska Neon Sign Company.

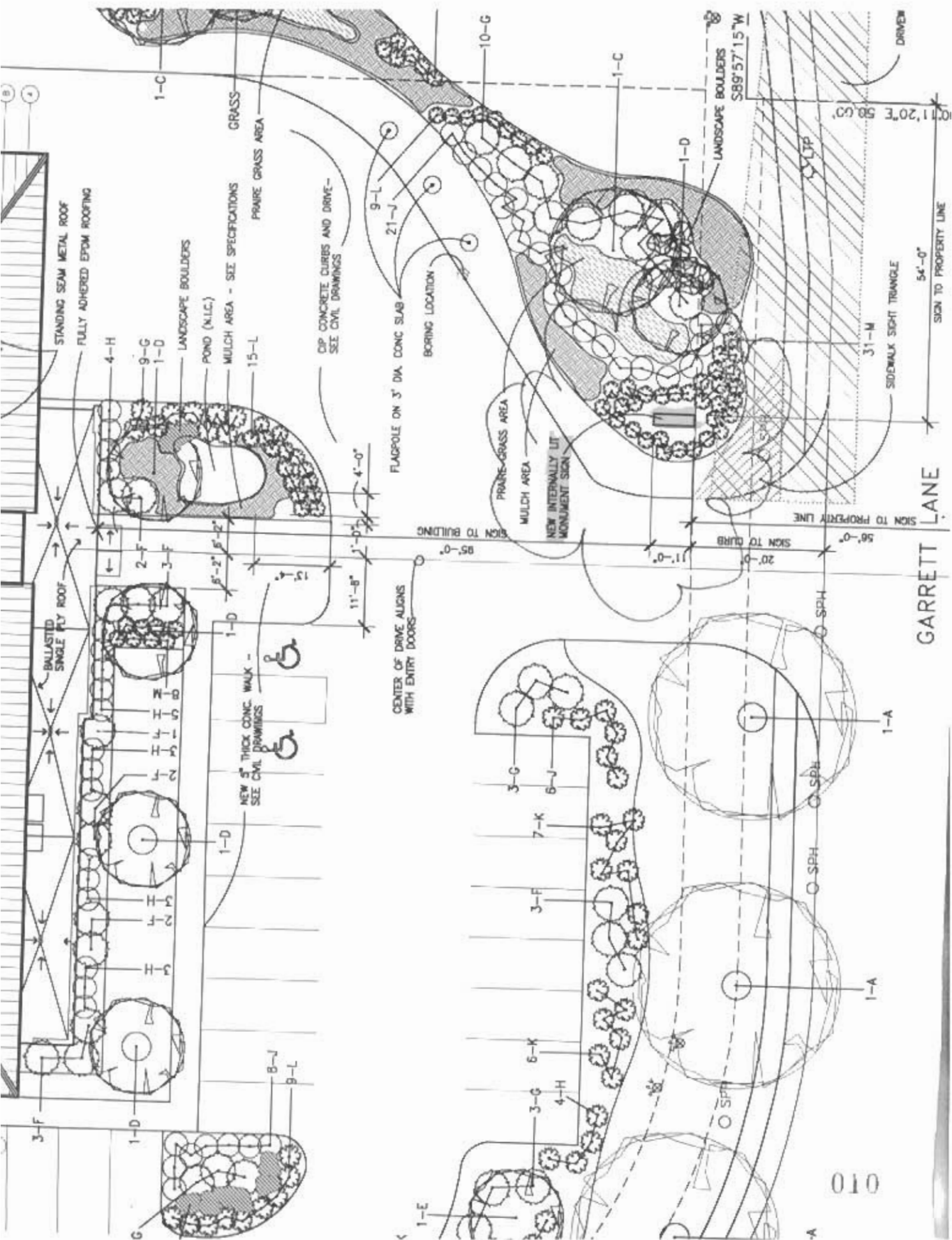
We feel that to properly identify our business and to help our customers find the entrance to our property, we need to locate our one allowed ground sign adjacent to our Garret Lane entrance. Due to the location of our building on the lot and the parking and drive-thru lane requirements, there is not any practical location for this sign that meets the "30' of building pad site" requirement. As you can see on the Landscape Plan, our proposed sign location is well behind both 50' set back and site triangle requirements. Our sign is designed to be an attractive addition to our landscaping and to architecturally connect to our new building. It also conforms to all height and square footage requirements.

Thank you for your consideration of our application and feel free to contact me with any questions you may have.

Respectfully,

Susan Twiehaus
Senior Vice President





STANDING SEAM METAL ROOF
FULLY ADHERED EPDM ROOFING

BALLASTED SINGLE FLY ROOF

LANDSCAPE BOULDERS
POND (N.I.C.)
MULCH AREA - SEE SPECIFICATIONS
PRAIRIE GRASS AREA

NEW 5" THICK CONC WALK -
SEE CIVIL DRAWINGS

CENTER OF DRIVE ALIGNS
WITH ENTRY DOORS

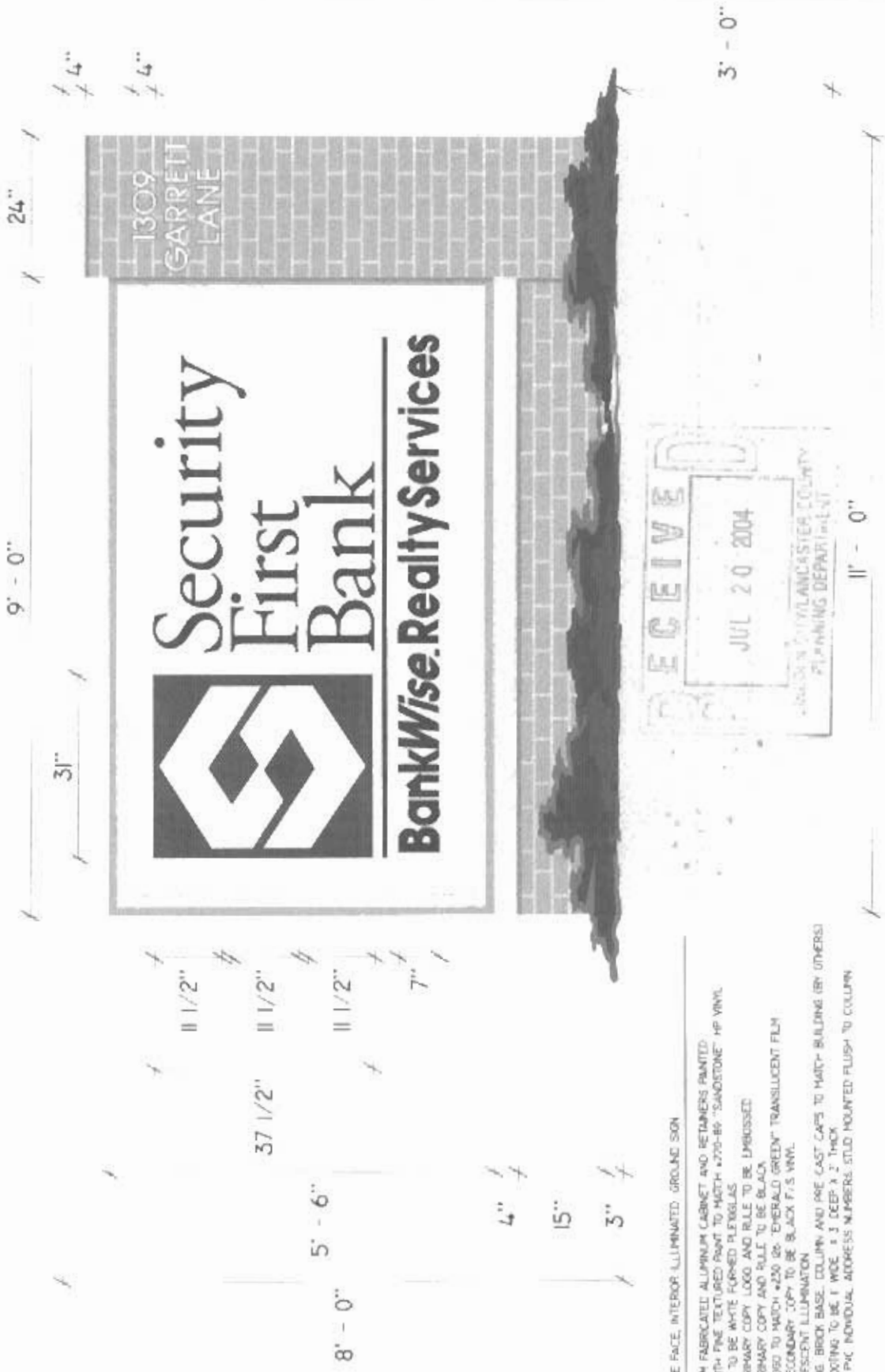
FLAGPOLE ON 3' DIA. CONC SLAB
BORING LOCATION

NEW INTERNALLY LIT
MONUMENT SIGN

LANDSCAPE BOULDERS
S89°57'15\"/>

GARRETT LANE

010



DOUBLE FACE INTERIOR ILLUMINATED GROUND SIGN
 CUSTOM FABRICATED ALUMINUM CABINET AND RETAINERS FINISHED WITH PINE TEXTURED PAINT TO MATCH #770-B "SANDSTONE" HP VINYL. FACES TO BE WHITE FURNISHED PLEXIGLAS
 PRIMARY COPY LOGO AND RULE TO BE BRASS
 SECONDARY COPY TO BE BLACK
 LOGO TO MATCH #220 OR "EMERALD GREEN" TRANSLUCENT FILM
 SECONDARY COPY TO BE BLACK P/S VINYL
 FLUORESCENT ILLUMINATION
 FOOTING: BRICK BASE. COLUMN AND ARE CAST CAPS TO MATCH BUILDING (BY OTHERS)
 FOOTING TO BE 1" WIDE x 3" DEEP x 2" THICK
 WHITE PVC INDIVIDUAL ADDRESS NUMBERS STLD MOUNTED FLUSH TO COLUMN

COMPUTER GENERATED DRAWING IS INTENDED TO BE AN APPROXIMATE REPRESENTATION OF ACTUAL COLORS AND IMAGES

Nebraska Sign Company
 1140 North 21st Street Ph. (402) 476-6563
 P.O. Box 80866 FAX (402) 476-3461
 Lincoln, Nebraska 68501

THE UNDERSIGNED HEREBY CERTIFY THAT THE SIGN SPECIFIED IN THIS PERMIT APPLICATION IS IN ACCORDANCE WITH THE SIGN REGULATIONS OF THE CITY OF SALISBURY, IOWA, AND THAT THE SIGN IS BEING INSTALLED IN ACCORDANCE WITH THE CITY OF SALISBURY, IOWA, SIGN REGULATIONS.

FILE SECURITY FIRST WITH

RECEIVED
 JUL 20 2004
 SALISBURY CITY AND CASTER COUNTY
 PLANNING DEPARTMENT

CLIENT: SECURITY FIRST ADDRESS: 1309 GARRETT LN. CITY: LINCOLN STATE: NE
 SALES PERSON: THOMPSON ARTIST: SCHOENEDER SKETCH NO: C4885 A SCALE: 1/2" = 1'-0" DATE: 8/25/04 REVISED: 4/19/04
 HARD COPY: X
 SITE PLAN: X
 PHOTO: X
 CLIENT APPROVAL: X
 DATE: X

HORIZON BUSINESS CENTER

APPROVED TO THE USE PERMIT #117

DESIGNED & PREPARED BY
CLAYTON & CLAYTON
ARCHITECTS
1000 15TH AVENUE
DENVER, CO 80202

PERMIT #117
ISSUED 10/15/88
BY THE CITY OF DENVER

GENERAL NOTES:
1. SEE PERMIT #117 FOR ALL REGULATIONS.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER PERMIT #117.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DENVER.
4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
5. ALL UTILITIES SHALL BE PROTECTED AND DEEPENED AS NECESSARY.
6. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES UNLESS OTHERWISE NOTED.
7. ALL MATERIALS SHALL BE STORED AND HANDLED PROPERLY.
8. ALL WASTE SHALL BE REMOVED FROM THE SITE DAILY.
9. THE CONTRACTOR SHALL MAINTAIN A NEAT AND SAFE WORKING SITE.
10. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

LOCAL JURISDICTION

The City of Denver, Colorado, has jurisdiction over the project. The project is located within the City of Denver, Colorado. The project is subject to the City of Denver, Colorado, regulations and codes. The project is subject to the City of Denver, Colorado, permit #117. The project is subject to the City of Denver, Colorado, regulations and codes. The project is subject to the City of Denver, Colorado, permit #117.

PERMIT #117

ISSUED 10/15/88
BY THE CITY OF DENVER

NO.	DESCRIPTION	DATE
1	ISSUED TO PERMIT #117	10/15/88
2	REVISION 1 - SEE PERMIT #117	10/15/88
3	REVISION 2 - SEE PERMIT #117	10/15/88
4	REVISION 3 - SEE PERMIT #117	10/15/88
5	REVISION 4 - SEE PERMIT #117	10/15/88
6	REVISION 5 - SEE PERMIT #117	10/15/88
7	REVISION 6 - SEE PERMIT #117	10/15/88
8	REVISION 7 - SEE PERMIT #117	10/15/88
9	REVISION 8 - SEE PERMIT #117	10/15/88
10	REVISION 9 - SEE PERMIT #117	10/15/88
11	REVISION 10 - SEE PERMIT #117	10/15/88
12	REVISION 11 - SEE PERMIT #117	10/15/88
13	REVISION 12 - SEE PERMIT #117	10/15/88
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101	REVISION 100 - SEE PERMIT #117	10/15/88

