

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

USE PERMIT NO. 14004

1           WHEREAS, Oak Lake Development, LLC has submitted an application  
2 designated as Use Permit No. 14004 to develop an outdoor recreational facility as a  
3 special permitted use with the sale of alcoholic beverages for consumption on the  
4 premises as an accessory use to the outdoor recreational facility together with  
5 approximately 75,000 sq. ft. of commercial space, 175,000 sq. ft. of indoor recreational  
6 facilities and 275 hotel rooms, with a request to modify the parking, signage, maximum  
7 height, parking lot screening, street trees and sidewalk requirements, on property  
8 generally located southwest of the intersection of West Charleston Street and Sun  
9 Valley Boulevard, and legally described as:

10           Lot 81 I.T. and Lot 90 I.T. in the Southeast Quarter of  
11           Section 15; Lot 303 I.T., Lot 304 I.T. and Lot 305 I.T. in the  
12           Northeast Quarter of Section 22; and Lot 71 I.T. in the  
13           Northwest Quarter of Section 23, all in Township 10 North,  
14           Range 6 East of the 6th P.M., Lincoln, Lancaster County,  
15           Nebraska; and more particularly described in Attachment "A"  
16           hereto;

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

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

4           NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
5 Lincoln, Nebraska:

6           That the application of Oak Lake Development, LLC, hereinafter referred  
7 to as "Permittee", to develop an outdoor recreational facility as a special permitted use  
8 with the sale of alcoholic beverages for consumption on the premises as an accessory  
9 use to the outdoor recreational facility together with approximately 75,000 sq. ft. of  
10 commercial space, 175,000 sq. ft. of indoor recreational facilities and 275 hotel rooms,  
11 on the property legally described above be and the same is hereby granted under the  
12 provisions of Section 27.31.030 and Section 27.64.010 of the Lincoln Municipal Code  
13 upon condition that construction and operation of said commercial development be in  
14 substantial compliance with said application, the site plan, and the following additional  
15 express terms, conditions, and requirements:

16           1.     This approval permits an outdoor recreational facility as a special  
17 permitted use with the sale of alcoholic beverages for consumption on the premises as  
18 an accessory use to the recreational facility, 75,000 sq. ft. of commercial use, 175,000  
19 sq. ft. of indoor recreational facility and 275 hotel rooms and the following waivers:

- 20           a.     Allow parking stalls in excess of required stalls for the sports  
21                 facilities to be gravel
- 22           b.     Increase the area of the center identification sign located outside  
23                 the front yard setback from 150 sq. ft. to 250 sq. ft. subject to  
24                 approval of the Planning Director after review by the Urban Design  
25                 Committee.
- 26

- 1
- 2 c. Allow one additional center identification sign.
- 3
- 4 d. Increase maximum building height from 40' to 75' for hotels and
- 5 indoor recreational facilities and increase the height from 40' to 50'
- 6 for all other buildings.
- 7
- 8 e. To parking lot screening and street trees within the area of the
- 9 former landfill if NDEQ determines landscaping will have an
- adverse impact on the former landfill.
- 10 2. The City Council must approve the associated requests: Change of Zone
- 11 No. 14009 and Comp. Plan Amendment No. 14002.
- 12 3. Before a final plat is approved the Permittee shall cause to be prepared
- 13 and submitted to the Planning Department a revised and reproducible final plot plan
- 14 including five copies with all required revisions as listed below:
- 15 a. Delete Notes 7,13,16,17 and 29. These notes are not needed.
- 16
- 17 b. In Note 6 add that the gravel surfacing is only for parking stalls in
- excess of required stalls for the sports facilities.
- 18
- 19 c. In the Land Use table change field house/indoor sports to 175,000
- sq. ft. enclosed commercial recreation facility and event center.
- 20
- 21 d. Replace the note under the Land Use table with note as shown in
- mark-ups.
- 22
- 23 e. In the Land Use table change "softball fields in sports complex" to
- outdoor recreational fields.
- 24
- 25 f. Change 600 stalls to 30 stalls per recreational field, change 275
- 26 stalls to 1 stall per hotel room and change 583 stalls to 1 stall per
- 600 sq. ft. in the Land Use table.
- 27
- 28 g. Change the note under Durr Enterprises LLC to Existing right-of-
- way to be vacated once new W. Charleston St. is dedicated.
- 29
- 30 h. Revise the grading and drainage plan to the satisfaction of Public
- Works & Utilities.

1 i. Show the right and left turn lanes on Sun Valley Blvd. at Line Dr. to  
2 the satisfaction of Public Works & Utilities.

3  
4 4. Before occupying the buildings all development and construction is to  
5 substantially comply with the approved plans.

6 5. The physical location of all setbacks and yards, buildings, parking and  
7 circulation elements, and similar matters must be in substantial compliance with the  
8 location of said items as shown on the approved site plan.

9 6. This resolution's terms, conditions, and requirements bind and obligate the  
10 Permittee, its successors and assigns.

11 7. The Applicant shall sign and return the letter of acceptance to the City  
12 Clerk. This step should be completed within 60 days following the approval of the  
13 special permit. The City Clerk shall file a copy of the resolution approving the special  
14 permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be  
15 paid in advance by the Ppplicant. Building permits will not be issued unless the letter of  
16 acceptance has been filed.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

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

Approved this \_\_\_ day of \_\_\_\_\_, 2014:

\_\_\_\_\_  
Mayor