

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1895

1 WHEREAS, Krueger Development Inc. has submitted an application
 2 designated as Special Permit No. 1895 for authority to develop a Planned Service
 3 Commercial Center consisting of 361,200 square feet of commercial uses, with waivers of
 4 the required front and rear yard setbacks, on property generally located northeast of South
 5 14th Street and Yankee Hill Road, and legally described to wit:

6 A portion of Lots 14, 18, 20-25, 67 and 68, all Irregular Tracts
 7 located in the Southwest Quarter of Section 24, Township 9
 8 North, Range 6 East of the 6th P.M., Lancaster County,
 9 Nebraska, more particularly described as follows:

10 Commencing at the southwest corner of Section 24, Township
 11 9 North, Range 6 East of the 6th P.M., Lancaster County,
 12 Nebraska and extending north 02 degrees 01 minutes 37
 13 seconds west, 649.22 feet; thence north 87 degrees 68
 14 minutes 23 seconds east, 50.00 feet to the point of beginning;
 15 thence north 02 degrees 01 minutes 37 seconds west, 200.00
 16 feet; thence north 11 degrees 40 minutes 32 seconds west,
 17 101.43 feet; thence north 02 degrees 01 minutes 37 seconds
 18 west, 682.35 feet; thence north 87 degrees 58 minutes 23
 19 seconds east, 27.00 feet; thence north 02 degrees 01 minutes
 20 36 seconds west, 208.09 feet; thence north 88 degrees 29
 21 minutes 50 seconds east, 278.33 feet; thence north 01
 22 degrees 56 minutes 43 seconds west, 51.68 feet; thence north
 23 88 degrees 30 minutes 08 seconds east, 227.00 feet; thence
 24 south 01 degrees 56 minutes 43 seconds east, 62.75 feet to
 25 the point of curvature of a curve to the left having a central
 26 angle of 28 degrees 45 minutes 39 seconds, a radius of
 27 431.88 feet and whose chord bears south 16 degrees 19
 28 minutes 33 seconds east (214.53 feet); thence along the arc
 29 of said curve 216.79 feet; thence south 30 degrees 42 minutes
 30 23 seconds east, 816.41 feet to the point of curvature of a
 31 curve to the left having a central angle of 35 degrees 47
 32 minutes 36 seconds, a radius of 330.00 feet and whose chord

1 bears south 48 degrees 36 minutes 11 seconds east (202.82
2 feet); thence along the arc of said curve 206.15 feet; thence
3 south 66 degrees 29 minutes 59 seconds east, 358.27 feet to
4 a curve to the left having a central angle of 02 degrees 45
5 minutes 03 seconds, a radius of 300.00 feet and whose chord
6 bears south 00 degrees 24 minutes 07 seconds east (14.40
7 feet); thence along the arc of said curve 28.19 feet; thence
8 south 01 degrees 46 minutes 39 seconds east, 572.27 feet;
9 thence south 88 degrees 19 minutes 47 seconds west, 10.03
10 feet; thence north 01 degrees 40 minutes 13 seconds west,
11 17.00 feet; thence south 88 degrees 19 minutes 47 seconds
12 west, 195.79 feet to the point of curvature of a circular curve to
13 the right having a central angle of 44 degrees 25 minutes 20
14 seconds, a radius of 798.83 feet and whose chord bears north
15 69 degrees 17 minutes 02 seconds west (603.95 feet); thence
16 along the arc of said curve 619.34 feet to the point of
17 tangency; thence north 47 degrees 04 minutes 22 seconds
18 west, 348.97 feet to the point of curvature of a circular curve to
19 the left having a central angle of 44 degrees 57 minutes 15
20 seconds, a radius of 450.00 feet and whose chord bears north
21 69 degrees 32 minutes 59 seconds west (344.08 feet); thence
22 along the arc of said curve 353.07 feet; thence south 87
23 degrees 58 minutes 23 seconds west, 100.19 feet to the point
24 of beginning, containing 33.65 acres;

25 WHEREAS, the real property adjacent to the area included within the site
26 plan for this commercial center will not be adversely affected; and

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

30 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
31 Lincoln, Nebraska:

32 That the application of Krueger Development Inc., hereinafter referred to as
33 "Permittee", to develop a Planned Service Commercial Center, on the property legally
34 described above, be and the same is hereby granted under the provisions of Section

1 27.63.470 of the Lincoln Municipal Code upon condition that construction and operation
2 of said commercial center be in strict compliance with said application, the site plan, and
3 the following additional express terms, conditions, and requirements:

4 1. This permit approves a total of 361,200 square feet of commercial
5 space.

6 2. This permit approves the following adjustments:

7 a. An adjustment to Section 27.45.070(a) of the LMC to reduce
8 the front yard setback along Dahlberg Drive from 50 feet to 25
9 feet for the buildings only, and from 50 feet to 40 feet along
10 South 14th Street and Yankee Hill Road.

11 b. An adjustment to Section 27.45.070(a) of the LMC to reduce
12 the rear yard setback adjacent to the residential area from 50
13 feet to 5 feet for parking and to 10 feet for buildings.

14 3. Before receiving building permits the Permittee must submit a
15 permanent reproducible final site plan as approved.

16 4. Before occupying this development all development and construction
17 must conform to the approved plans.

18 5. All privately-owned improvements, including landscaping, must be
19 permanently maintained by the Permittee, its successors and assigns.

20 6. The site plan approved by this permit shall be the basis for all
21 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
22 elements, and similar matters.

23 7. The terms, conditions, and requirements of this resolution shall be
24 binding and obligatory upon the Permittee, its successors, and assigns. The building

1 official shall report violations to the City Council which may revoke the special permit or
2 take such other action as may be necessary to gain compliance.

3 8. The Permittee shall sign and return the City's letter of acceptance to
4 the City Clerk within 30 days following approval of the special permit, provided, however,
5 said 30-day period may be extended up to six months by administrative amendment. The
6 City Clerk shall file a copy of the resolution approving the special permit and the letter of
7 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
8 Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ___ day of _____, 2001: _____ Mayor
