

RESOLUTION NO. A-_____

USE PERMIT NO. 106A

1 WHEREAS, One Vista, L.L.C. has submitted an application in accordance
2 with Section 27.27.080 of the Lincoln Municipal Code designated as Use Permit No.
3 106A for authority to amend Use Permit 106 to include additional land, relocate access,
4 add a sign and decrease the required parking from 148 stalls to 80 stalls on property
5 generally located at 65th Street and Pioneers Blvd., and legally described to wit:

6 Lot 79 I.T. and the remaining portion of Lot 80 I.T., located
7 in the Southeast Quarter of Section 4, Township 9 North,
8 Range 6 East of the 6th P.M., Lancaster County, Nebraska;

9 WHEREAS, the real property adjacent to the area included within the site
10 plan for this will not be adversely affected; and

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

14 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
15 Lincoln, Nebraska:

16 That the application of One Vista, L.L.C., hereinafter referred to as
17 "Permittee", to amend Use Permit 106 to include additional land, relocate access, add a
18 sign and decrease the required parking from 148 stalls to 80 stalls on the property
19 legally described above be and the same is hereby granted under the provisions of
20 Section 27.27.080 of the Lincoln Municipal Code upon condition that construction and
21 operation of said office building be in strict compliance with said application, the site

1 plan, and the following additional express terms, conditions, and requirements:

2 1. This permit approves an increase in land area, the relocation of
3 access to Pioneers Boulevard, a sign location, and a reduction in the required number
4 of parking stalls from 148 to 80, provided prior to the Building and Safety Department
5 issuing a change in occupancy the then applicable minimum required parking stalls
6 shall have been constructed.

7 2. Before receiving building permits:

8 a. The Permittee must submit an acceptable, revised and
9 reproducible final plan and five copies.

10 b. The construction plans must conform to the approved plans.

11 c. Final plats within the area of this use permit must be
12 approved by the City.

13 3. All development and construction must be completed in
14 conformance with the approved plans.

15 4. All privately-owned improvements must be permanently maintained
16 by the Permittee.

17 5. The site plan approved by this permit shall be the basis for all
18 interpretations of setbacks, yards, locations of buildings, location of parking and
19 circulation elements, and similar matters.

20 6. The terms, conditions, and requirements of this resolution shall be
21 binding and obligatory upon the Permittee, its successors and assigns. The building
22 official shall report violations to the City Council which may revoke this use permit or

1 take such other action as may be necessary to gain compliance.

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

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2004:

Mayor