

RESOLUTION NO. A-_____

USE PERMIT NO. 84B

1 WHEREAS, Elizabeth South Partners has submitted an application in
2 accordance with Sections 27.27.080 of the Lincoln Municipal Code designated as Use
3 Permit No. 84B to reconfigure parking areas, add parking spaces, and reduce the front
4 yard setback on property generally located at South 70th Street and Pioneers
5 Boulevard, and legally described as:

6 Lots 1 and 2, Elizabeth Park South 1st Addition and Lots 1,
7 2, 3, and 9, Elizabeth Park South Addition, Lincoln,
8 Lancaster County, Nebraska;

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

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

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

17 That the application of Elizabeth South Partners, hereinafter referred to as
18 "Permittee", to reconfigure parking areas, add parking spaces, and reduce the front yard
19 setback, on the property legally described above be and the same is hereby granted
20 under the provisions of Section 27.31.100 of the Lincoln Municipal Code upon condition
21 that construction and operation of said commercial development be in strict compliance

1 with said application, the site plan, and the following additional express terms,
2 conditions, and requirements:

3 1. This permit approves additional parking, adjustment to the yard
4 requirements to reduce the front yard setback along Pioneers Blvd. from 50 to 40 feet
5 and a small expansion in the area of the use permit to include the proposed additional
6 parking stalls along the west side of South 69th Street.

7 2. Before receiving building permits:

8 a. The Permittee must submit eight copies of an acceptable revised
9 final plan.

10 b. The construction plans shall comply with the approved plans.

11 3. Before occupying the parking areas all development and construction shall
12 have been completed in compliance with the approved plans.

13 4. All privately-owned improvements shall be permanently maintained by the
14 owner or an appropriately established owners association approved by the City
15 Attorney.

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

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

21 7. The Permittee shall sign and return the letter of acceptance to the City
22 Clerk within 30 days following the approval of the special permit, provided, however,
23 said 30-day period may be extended up to six months by administrative amendment.

1 The clerk shall file a copy of the resolution approving the special permit and the letter of
2 acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the
3 Permittee.

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2006:

Mayor