

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

SPECIAL PERMIT NO. 04009

1           WHEREAS, Scott Anderson has submitted an application designated as  
2 Special Permit No. 04009 for authority to develop Anderson’s Place Planned Service  
3 Commercial Center consisting of 86,120 square feet of floor area, with requested  
4 waivers to reduce the front yard setback along N. 84th Street, eliminate internal  
5 setbacks, and to reduce the side yard setback, on property located south of Leighton  
6 Avenue and east of N. 84th Street, and legally described to wit:

7           A portion of Lot 100 I.T., located in the Southwest Quarter of  
8 Section 14, Township 10 North, Range 7 East of the 6th P.M.,  
9 Lancaster County, Nebraska, more particularly described by  
10 metes and bounds as follows:

11           Commencing at the west quarter corner of Section 14, Township  
12 10 North, Range 7 East of the 6th P.M.; thence south 89 degrees  
13 24 minutes 54 seconds east (an assumed bearing) on the north  
14 line of the Southwest Quarter, a distance of 1326.42 feet to a  
15 found 5/8" rebar for the north 1/16 corner of the Southwest  
16 Quarter; thence south 00 degrees 02 minutes 38 seconds west,  
17 on the west line of Lot 10 I.T. extended, a distance of 33.00 feet,  
18 to the northwest corner of Lot 10 I.T.; thence along the north line  
19 of said Lot 10 I.T. north 89 degrees 24 minutes 55 seconds west,  
20 for a distance of 560.58 feet and the point of beginning; thence  
21 south 00 degrees 35 minutes 05 seconds west, a distance of  
22 234.50 feet; thence south 89 degrees 24 minutes 55 seconds  
23 east, a distance of 110.00 feet; thence south 00 degrees 35  
24 minutes 05 seconds west, a distance of 49.00 feet; thence north  
25 89 degrees 24 minutes 55 seconds west, a distance of 110.00  
26 feet; thence south 00 degrees 35 minutes 05 seconds west, a  
27 distance of 398.61 feet; thence south 89 degrees 57 minutes 47  
28 seconds west, on the north line of said Addition, a distance of  
29 668.35 feet to the northwest corner of Morning Glory Estates  
30 Addition, said point being on the east right-of-way of North 84th  
31 Street; thence north 00 degrees 02 minutes 13 seconds west on  
32 the east right-of-way of North 84th Street, a distance of 105.38  
33 feet; thence north 00 degrees 59 minutes 41 seconds west, on  
34 said right-of-way, a distance of 299.12 feet; thence north 00

1 degrees 02 minutes 13 seconds west, on the east right-of-way of  
2 North 84th Street, a distance of 245.00 feet; thence north 26  
3 degrees 39 minutes 06 seconds east, on the southeasterly right-  
4 of-way of North 84th Street, a distance of 44.53 feet to a point on  
5 the south right-of-way of Leighton Avenue; thence south 89  
6 degrees 24 minutes 55 seconds east, on said south right-of-way,  
7 a distance of 660.79 feet to the point of beginning, and containing  
8 a calculated area of 468,020.91 square feet or 10.74 acres, more  
9 or less;

10 WHEREAS, the real property adjacent to the area included within the site  
11 plan for this commercial center will not be adversely affected; 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 Scott Anderson, hereinafter referred to as  
18 "Permittee", to develop Anderson's Place Planned Service Commercial Center  
19 consisting of 86,120 square feet of floor area, on the property legally described above,  
20 be and the same is hereby granted under the provisions of Section 27.63.470 of the  
21 Lincoln Municipal Code upon condition that construction and operation of said  
22 development be in strict compliance with said application, the site plan, and the  
23 following additional express terms, conditions, and requirements:

- 24 1. This permit approves 86,120 square feet of floor area and  
25 reduction of the front yard setback along N. 84th Street to 40 feet, elimination of internal  
26 setbacks to 0 feet, and reduction of the side yard setback to 20 feet as shown on the  
27 site plan.

- 1                   2.     Before receiving building permits:
- 2                   a.     The Permittee must submit an acceptable, revised final plan  
3                   including 7 copies.
- 4                   b.     The construction plans must conform to the approved plans.
- 5                   c.     Final Plats must be approved by the City.
- 6                   2.     Before occupying the buildings all development and construction  
7                   must be completed in conformance with the approved plans.
- 8                   3.     All privately-owned improvements shall be permanently maintained  
9                   by the Permittee or an appropriately established owners association approved by the  
10                  City Attorney.
- 11                  4.     The site plan approved by this permit shall be the basis for all  
12                  interpretations of setbacks, yards, locations of buildings, location of parking and  
13                  circulation elements, and similar matters.
- 14                  5.     The terms, conditions, and requirements of this resolution shall be  
15                  binding and obligatory upon the Permittee, his successors, and assigns. The building  
16                  official shall report violations to the City Council which may revoke the special permit or  
17                  take such other action as may be necessary to gain compliance.
- 18                  6.     The Permittee shall sign and return the City's letter of acceptance  
19                  to the City Clerk within 30 days following approval of the special permit, provided,  
20                  however, said 30-day period may be extended up to six months by administrative  
21                  amendment. The City Clerk shall file a copy of the resolution approving the special  
22                  permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be  
23                  paid in advance by the Permittee.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

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

Approved this \_\_\_ day of \_\_\_\_\_, 2005:

\_\_\_\_\_  
Mayor