

RESOLUTION NO. A- **69390**

USE PERMIT NO. 24

01 WHEREAS, DuTeau Company, Inc., by Gates Minnick, has
02 submitted an application designated as Use Permit No. 24 for auth-
03 ority to develop a neighborhood shopping center on property located
04 south of Van Dorn Street and east of South 70th Street, and legally
05 described to wit:

06 A parcel of land located in the Northwest Quarter
07 of the Northwest Quarter of Section 3, Township 9
08 North, Range 7 East of the Sixth Principal Meridian,
09 Lancaster County, Nebraska, more particularly de-
10 scribed as follows:

11 Commencing at the northwest corner of said Section
12 3; thence easterly along the north line of said
13 Northwest Quarter of the Northwest Quarter, a dis-
14 tance of 50.00 feet; thence southerly on a line
15 which is 50.00 feet east of and parallel to the
16 west line of said Northwest Quarter of the Northwest
17 Quarter, a distance of 40.00 feet to the point of
18 beginning; thence easterly on a line which is 40.00
19 feet south of and parallel to the north line of said
20 Northwest Quarter of the Northwest Quarter, on an
21 assumed bearing of north 89 degrees 30 minutes 35
22 seconds east, a distance of 512.00 feet; thence
23 southerly on a line which is 562.00 feet east of
24 and parallel to the west line of said Northwest
25 Quarter of the Northwest Quarter, on a bearing of
26 south 0 degrees 00 minutes 00 seconds west, a dis-
27 tance of 667.00 feet; thence westerly on a line
28 which is 707.00 feet south of and parallel to the
29 north line of said Northwest Quarter of the Northwest
30 Quarter, on a bearing of south 89 degrees 30 minutes
31 35 seconds west, a distance of 512.00 feet to a
32 point which is 50.00 feet east of the west line of
33 said Northwest Quarter of the Northwest Quarter;
34 thence northerly on a line which is 50.00 feet
35 east of and parallel to the west line of said North-
36 West Quarter of the Northwest Quarter, on a bearing
37 of north 0 degrees 00 minutes 00 seconds east, a
38 distance of 667.00 feet to the point of beginning,
39 containing 7.84 acres, more or less.

40 WHEREAS, the real property adjacent to the area included
41 within the plot plan for this shopping center will not be adversely
42 affected; and

43 WHEREAS, said plot plan together with the terms and
44 conditions hereinafter set forth are consistent with the intent and
45 purpose of Title 27 of the Lincoln Municipal Code to promote the
46 public health, safety, morals, and general welfare.

47 NOW, THEREFORE, BE IT RESOLVED by the City Council of the

01 City of Lincoln, Nebraska:
02 That the application of DuTeau Company, Inc., by Gates
03 Minnick, hereinafter referred to as "Permittee," to develop a
04 neighborhood shopping center south of Van Dorn Street and east of
05 South 70th Street be and the same is hereby granted under the
06 provisions of Section 27.31.100 of the Lincoln Municipal Code upon
07 condition that construction and operation of said shopping center
08 be in strict compliance with said application, the plot plan, and
09 the following additional express terms, conditions, and requirements:

10 1. The total floor area to be permitted under this use
11 permit shall be limited to 70,000 square feet.

12 2. The City Council shall approve Change of Zone 2085.

13 3. Before receiving building permits:

14 a. Signs on the east side of the building shall
15 not exceed a total of 100 square feet of
16 copy area.

17 b. The construction shall comply with the approved
18 plot plan and all applicable ordinances and
19 design standards of the City.

20 c. The permittee shall submit a revised landscape
21 plan for review and approval by the Planning
22 Director. *See Amendment 1 on Page 3.

23 4. Before occupying the use permit area, all develop-
24 ment and construction shall strictly comply with the approved
25 plans.

26 5. The landscaping and screening shall be permanently
27 maintained by the permittee or an established property owners
28 association approved by the City.
**See Amendment 2 on Page 3.

29 6. The terms, conditions, and requirements of this
30 resolution shall be binding and obligatory upon the permittee, its
31 successors, and assigns. The building official shall report
32 violations to the City Council which may revoke the use permit or
33 take such other action as may be necessary to gain compliance.

34 7. The permittee shall sign and return the City's
35 letter of acceptance to the City Clerk within 30 days following
36 approval of the use permit, provided however, said 30-day period
37 may be extended up to six months by administrative amendment. The
38 City Clerk shall file a copy of the resolution approving the use
39 permit and the letter of acceptance with the Register of Deeds,
40 filing fees therefor to be paid in advance by the permittee.

AMENDED
5/7/84

AMENDED
5/7/84

13300

Introduced by:

Bill Danley

Approved as to Form and Legality:

[Signature]
Assistant City Attorney

AYES: Ahlschwede, Danley, Gayley,
Hampton, Hoffman, Johnson,
Shackelford;
NAYS: None.

Staff Review Completed:

[Signature]
Administrative Assistant

MAY 15 1984
2:30 PM

ADOPTED

APPROVED

MAY 7 1984

By City Council

MAY 15 1984 1:12 PM

[Signature]
MAYOR

*AMENDMENT 1:

"It is understood that the landscape plan may be required by the Planning Director to be in excess of the presently adopted minimum standards so as to provide adequate screening for the shopping center."

**AMENDMENT 2:

"5 1/2. The applicant agrees to dedicate 10-foot wide pedestrian easements so as to connect any future sidewalks required to the south and east of this use permit area with the sidewalks around the buildings, and agrees to construct sidewalks in accordance with City standards in any such pedestrian way easements."

15300

APPENDIX "A"

City Council
City of Lincoln
Lincoln, Nebraska

Re: Letter of Acceptance
Use Permit No. 24

TO THE CITY COUNCIL:

I, Gates Minnick, President or authorized representative of DuTeau Company, Inc., herein called Permittee under Use Permit No. 24, granted by Resolution No. A- 69390, adopted by the City Council of the City of Lincoln, Nebraska on 4-28-84, do hereby certify that I have thoroughly read said resolution, understand the contents thereof and do hereby accept without qualification all of the terms, conditions, and requirements therein.

Gates Minnick
President/authorized representative
Gates Minnick

6/4/84

C E R T I F I C A T E

STATE OF NEBRASKA :
COUNTY OF LANCASTER :
CITY OF LINCOLN :

I, Paul A. Malzer, Jr., City Clerk of the City of Lincoln, Nebraska, do certify that the above and foregoing is a true and correct copy of A-69390 and Letter Of
Acceptance (Use Permit No. 24)
as passed and approved by the City Council of the City of Lincoln, Nebraska, at its meeting held May 7, 1984 as the original appears of record in my office, and is now in my charge remaining as City Clerk aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 5th day of June, 1984.

INDEXED
MICRO-FILED
GENERAL

7-715

LANCASTER COUNTY, NEBR.

Dan Galis
REGISTER OF DEEDS

1984 JUN -5 AM 11:36

ENTERED ON
NUMERICAL INDEX
FILED FOR RECORD AS:

INST. NO. 84- 13300

misc



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