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INST. NO 2004

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EAHDAGTER COUNTY, NE



RESOLUTION NO. PC-00838

SPECIAL PERMIT NO. 2044

1	WHEREAS, Ridge Development Company and Superior Point Partners
2	have submitted an application designated as Special Permit No. 2044 for authority to
3	construct a six-screen theater in the B-5 Planned Regional Business District on property
4	generally located at North 27th Street and Folkways Boulevard, and legally described as:
5 6 7 8	Lots 3 through 10, and Outlot A, King Ridge Addition, located in the Northwest Quarter of Section 6, Township 10 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska;
9	WHEREAS, the Lincoln City-Lancaster County Planning Commission has
10	held a public hearing on said application; and
11	WHEREAS, the community as a whole, the surrounding neighborhood, and
12	the real property adjacent to the area included within the site plan for this theater will not be
13	adversely affected by granting such a permit; and
14	WHEREAS, said site plan together with the terms and conditions hereinafter
15	set forth are consistent with the comprehensive plan of the City of Lincoln and with the
16	intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health,
17	safety, and general welfare.

Terush City Clerk

1	NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster		
2	County Planning Commission of Lincoln, Nebraska:		
3	That the application of Ridge Development Company and Superior Point		
4	Partners, hereinafter referred to as "Permittee", to construct a six-screen theater in the B-5		
5	Planned Regional Business District be and the same is hereby granted under the		
6	provisions of Section 27.63.630 of the Lincoln Municipal Code upon condition that		
7	construction of said theater be in strict compliance with said application, the site plan, and		
8	the following additional express terms, conditions, and requirements:		
9	1. This permit approves a six-screen theater.		
10	2. Before receiving building permits:		
11	a. The Permitee must complete the following instructions and		
12	submit the documents and plans to the Planning Department		
13	office for review and approval.		
14	i. A revised site plan showing the following revisions:		
15	(a) Revisions to the satisfaction of the Public Works		
16	and Utilities Department.		
17	(b) Utility easements to the satisfaction of LES.		
18	(c) Street trees to the satisfaction of the Parks and		
19	Recreation Department.		
20	(d) Indicate a legal description for the special permit		
21	area on the site plan.		
22	ii. A coordinated development and occupancy schedule		
23	approved by the Director of Planning.		

1	iii. A landscape screen plan approved by the Director of
2	Planning.
3	b. Ornamental street lights for private roadways and pedestrian
4	way easements must be approved by LES.
5	c. The construction plans must conform to the approved plans.
6	d. The required easements as shown on the site plan must be
7	recorded with the Register of Deeds.
8	3. Before occupying the theater, all development and construction must
9	conform to the approved plans.
10	4. All privately-owned improvements, including landscaping and
11	recreational facilities, must be permanently maintained by the Permittee or an
12	appropriately established owners association approved by the City.
13	5. The site plan approved by this permit shall be the basis for all
14	interpretations of setbacks, yards, locations of buildings, location of parking and circulation
15	elements, and similar matters.
16	6. The terms, conditions, and requirements of this resolution shall be
17	binding and obligatory upon the Permittee and the Permittee's successors and assigns.
18	The building official shall report violations to the City Council which may revoke the special
19	permit or take such other action as may be necessary to gain compliance.
20	7. The Permittee shall sign and return the City's letter of acceptance to
21	the City Clerk within 30 days following approval of the special permit, provided, however,
22	said 30-day period may be extended up to six months by administrative amendment. The
23	City Clerk shall file a copy of the resolution approving the special permit and the letter of

1	acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
2	Permittee.
3	The foregoing Resolution was approved by the Lincoln City-Lancaster
4	County Planning Commission on this <u>10th</u> day of <u>December</u> , 2003.
	ATTEST: Mary Bulls- Mand Chair
	Approved as to Form & Legality: Chief Assistant City Attorney

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LETTER OF ACCEPTANCE

Lincoln City Council City of Lincoln Lincoln, Nebraska

RE: Special Permit No. 2044

(Theaters - N. 27th & Folkways Blvd.)

TO THE CITY COUNCIL:

DATED this // day of //www., 2003.

President/Authorized Representative

Ridge Development Company

President/Authorized Representative

Superior Point Partners

LTRACCEP/jlu 06/14/00

CERTIFICATE

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

I, Teresa J. Meier, Deputy City Clerk of the City of Lincoln, Nebraska, do hereby certify that the above and foregoing is a true and correct copy of **Special Permit 2044** as adopted and approved by **Resolution No. PC-00838** of the Lincoln City-Lancaster County Planning Commission at its meeting held **Dec. 10, 2003** as the original appears of record in my office, and is now in my charge remaining as Deputy City Clerk.