



05057092

INST. NO 200J

2005 SEP 26 A 10:53

057092

LANCASTER COUNTY, NE

841.50

BLOCK

CODE

KIRI

CHECKED

KIRI

ENTRANCE

EDUCED



A83257

Denial
05R-64

Introduce: 3-21-05

(Appeal of Planning Commission Action)
RESOLUTION NO. A- 83257

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USE PERMIT NO.148

WHEREAS, Elliott Rustad and Randy Haas have submitted an application in accordance with Section 27.31.100 of the Lincoln Municipal Code designated as Use Permit No. 148 to develop 24,317 square feet of commercial floor area, including requested waivers to the required storm water detention, front yard setbacks, minimum use permit area, and the preliminary plat process on property generally located at N. 27th Street and north of Folkways Blvd., legally described to wit:

**See new legal description on page 4, mm*
~~Lot 48 I.T., and Lot 4, Block 4, King Ridge 1st Addition, Lincoln, Lancaster County, Nebraska; and~~

WHEREAS, the Lincoln City-Lancaster County Planning Commission held a public hearing on March 2, 2005 and adopted Resolution No. PC-00906 which conditionally approved Use Permit No. 148; and

WHEREAS, the conditions of approval eliminated the staff recommendation that the site plan be revised to relinquish the right of direct vehicular access from Outlot A to N. 27th Street; and

WHEREAS, the Planning Department and the Public Works & Utilities Department have appealed the action of the Lincoln City-Lancaster County Planning Commission and are requesting that condition 2.C. be amended to read as follows:
 "Revisions to the satisfaction of the Public Works and Utilities Department memo dated December 30, 2004, ~~except paragraph 4, "Access."~~ in order to require the site plan to be revised to relinquish the right of direct vehicular access from Outlot A to N. 27th Street; and

*Teresa
City Clerk*

1 WHEREAS, the public street system adjacent to the area included within
2 the site plan for this construction of commercial buildings will not be adversely affected
3 if direct vehicular access is allowed from Outlot A to N. 27th Street; and

4 WHEREAS, the final action of the Lincoln City - Lancaster County
5 Planning Commission approving Use Permit No. 148 should be affirmed; and

6 WHEREAS, said site plan together with the terms and conditions as
7 approved by the Planning Commission are consistent with the intent and purpose of
8 Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general
9 welfare.

10 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
11 Lincoln, Nebraska:

12 Use Permit 148, approved by Planning Commission Resolution No. PC-
13 00906 is hereby approved as adopted by the Planning Commission

See further Council Proceedings
on next page.

Introduced by:

Jonathan Cook

Approved as to Form & Legality:

AYES: Camp, Cook, Friendt,
McRoy, Newman, Svoboda,
Werner; NAYS: None.

City Attorney

ADOPTED
MAR 28 2005
BY CITY COUNCIL

Approved this 31 day of Mar., 2005:

Colleen J. Seung
Mayor

05R-64

3/28/05 Council Proceedings:

COOK Moved to accept a Substitute Resolution for denial.
 Seconded by Friendt & carried by the following vote: AYES: Camp, Cook,
 Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None.



"Barb Harrigan"
<BHarrigan@rossengl
neering.com>

04/26/05 11:25 AM
Please respond to "Barb
Harrigan"

To: <bmeler@ci.lincoln.ne.us>
cc:
Subject: legal description for UP148, king crest

Teresa,
i am emailing you the legal description for king crest addition, use permit
103c.

A legal description for a tract of land composed of Lots 1 through 10 and
Outlot "A", King Ridge Addition, Lot 1 and Outlots "B" through "K" King
Ridge 1st Addition, and Lot 48 Irregular Tract, all located in the Northwest
Quarter of Section 6, Township 10 North, Range 7 East of the Sixth Principal
Meridian, City of Lincoln, Lancaster County, Nebraska.

i hope this is what you are looking for, if not please call me and i will
see what i can find.

thanks , barb

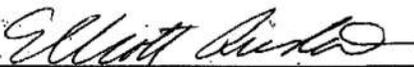
LETTER OF ACCEPTANCE

City Council
City of Lincoln
Lincoln, Nebraska

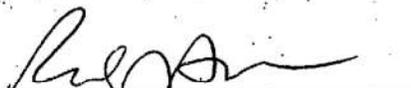
To The City Council:

We, **Elliott Rustad and Randy Haas**, Permittees under Use Permit 148 granted by Resolution No. A-83257 adopted by the Lincoln City Council on **March 28, 2005**, do hereby certify that we have thoroughly read said resolution, understand the contents thereof and do hereby accept without qualification all of the terms, conditions, and requirements therein.

Dated this 22 day of Sept, 2005



Elliott Rustad



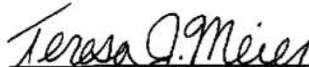
Randy Haas

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 **Use Permit 148** approved by **Resolution A-83257** adopted by the City Council on **March 28, 2005** as the original appears of record in my office, and is now in my charge remaining as Deputy City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 26th day of Sept., 2005.



Deputy City Clerk