

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

SPECIAL PERMIT NO. 08048

1 WHEREAS, Lincoln Family Church has submitted an application designated as Special  
2 Permit No. 08048 to allow a parking lot in the required front yard on property generally located  
3 at North 70th Street and Kearney Avenue, legally described as:

4 Lots 11-16, Block 1, Ackerman Addition to Havelock, Lincoln,  
5 Lancaster County, Nebraska;  
6

7 WHEREAS, the real property adjacent to the area included within the site plan for this  
8 parking lot will not be adversely affected; and

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

12 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln,  
13 Nebraska:

14 That the application of Lincoln Family Church, hereinafter referred to as "Permittee", to  
15 allow a church parking lot into the required front yard on property legally described above be  
16 and the same is hereby granted under the provisions of Section 27.63.170 of the Lincoln  
17 Municipal Code upon condition that construction of said parking lot be in substantial compliance  
18 with said application, the site plan, and the following additional express terms, conditions, and  
19 requirements:

20 1. This permit approves a parking lot with stalls in the required front yard setback  
21 along North 70th Street and Kearney Avenue.

22 2. Before receiving building permits:

23 a. The Permittee must submit a revised and reproducible final site plan  
24 including five copies with all required revisions and documents to the  
25 Planning Department showing the following revisions:

- 1 i. Add a note to the site plan which states: "Landscape plan will be  
2 submitted and reviewed at the time of building permits. The  
3 parking lot shall be screened 100% from the ground up to 3'.  
4 Plant materials shall be provided per City of Lincoln Design  
5 Standards."
- 6 ii. Show the sight triangle for N. 70<sup>th</sup> Street and Kearney Avenue.
- 7 iii. No parking in the sight triangles and sight penetration for  
8 driveways.
- 9 iv. Show three existing and/or proposed street trees along N. 70<sup>th</sup>  
10 Street.
- 11 v. Label species of existing and proposed street tree along N. 70<sup>th</sup>  
12 Street and Kearney Avenue. Confirm appropriate species and  
13 planting location with the Forestry Division of the Parks and  
14 Recreation Department.
- 15 vi. Add a note to the site plan which states: "Occupancy permit shall  
16 not be granted until all street trees have been replaced or  
17 installed."
- 18 vii. Show existing buildings and driveway for the residential lot to be  
19 removed.
- 20 viii. Show the alley as paved from N. 70<sup>th</sup> Street to the west end of the  
21 church property unless the applicant chooses not to use the alley  
22 for circulation. If the applicant chooses not to use the alley for  
23 circulation, then revise the site plan to remove the two entry points  
24 from the alley to the parking lot.
- 25 ix. Add a note to the plan which states: "Parking is allowed in the  
26 front yard setback as shown, except for the front 6' on N. 70<sup>th</sup>  
27 Street and the front 15' on Kearney Avenue, which is reserved for  
28 landscaping. No structures other than surface parking are  
29 permitted in the front yard setback."  
30
- 31 x. Add to the General Notes, "Signs need not be shown on this site  
32 plan, but need to be in compliance with chapter 27.69 of the  
33 Lincoln Zoning Ordinance, and must be approved by Building &  
34 Safety Department prior to installation".
- 35 b. The construction plans must substantially comply with the approved  
36 plans.
- 37 c. Provide documentation from the Register of Deeds that the letter of  
38 acceptance as required by the approval of the special permit has been  
39 recorded.
- 40 d. Rescind Special Permit 687.

1           3.       The Permittee shall pave the alley from North 70th Street to the west end of the  
2 church property through the City's executive order construction process. This is not a  
3 requirement if the Permittee chooses not to use the alley for circulation and revises the site plan  
4 as such.

5           4.       Before use of the parking lot, all development and construction must be  
6 completed in substantial conformance with the approved plans.

7           5.       All privately-owned improvements, including landscaping, must be permanently  
8 maintained by the Permittee.

9           6.       The physical location of all setbacks and yards, buildings, parking and  
10 circulation elements, and similar matters must be in substantial compliance with the location of  
11 said items as shown on the approved site plan.

12          7.       The terms, conditions, and requirements of this resolution shall run with the land  
13 and be binding on the Permittee, its successors, and assigns.

14          8.       The Permittee shall sign and return the City's letter of acceptance to the City  
15 Clerk within 60 days following approval of the special permit, provided, however, said 60-day  
16 period may be extended up to six months by administrative amendment. The City Clerk shall  
17 file a copy of the resolution approving the special permit and the letter of acceptance with the  
18 Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by:  
\_\_\_\_\_

Approved as to Form & Legality:  
  
\_\_\_\_\_  
City Attorney

Approved this ___ day of _____, 2008:  _____ Mayor
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