

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 15032

1 WHEREAS, St. Teresa Church has submitted an application designated as
2 Special Permit No. 15032 to construct a parking lot in a residential district and to allow a
3 reduction of the front and side yard setbacks on property generally located at 710 South
4 36th Street, legally described as:

5 Lots 17 and 18, Lyman Park, located in the Northeast
6 Quarter of Section 30, Township 10 North, Range 7 East of
7 the 6th P.M., Lincoln, Lancaster County, Nebraska;

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

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

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

15 That the application of St. Teresa Church, hereinafter referred to as "Permittee",
16 to construct a parking lot in a residential district and to reduce the front and side yard
17 setbacks, on property legally described above be and the same is hereby granted under
18 the provisions of Section 27.63.170 of the Lincoln Municipal Code upon condition that
19 construction of said parking lot be in substantial compliance with said application, the
20 site plan, and the following additional express terms, conditions, and requirements:

- 21 1. This permit approves a parking lot in a residential district with a waiver to
22 reduce the front yard setback from 25 feet to 8 feet on South 36th Street and to reduce
23 the side yard setback from 5 feet to 0 feet.

- 1 2. Before receiving building permits:
- 2 a. The Permittee shall submit a revised and reproducible site plan
- 3 including four copies showing the following revisions to the Planning Department for
- 4 review and approval:
- 5 i. Add a note that states, "Parking stalls shown on this plan are
- 6 conceptual and subject to minor adjustments."
- 7 ii. Add to the General Notes, " Signs need not be shown on this
- 8 site plan, but need to be in compliance with Chapter 27.69 of
- 9 the Lincoln Zoning Code, and must be approved by Building
- 10 & Safety Department prior to installation".
- 11 iii. Add a note to the plan that states, "The front yard setback
- 12 along South 36th Street is reduced from 25 feet to 8 feet. No
- 13 portion of the vehicles may be parked in the front yard
- 14 setback."
- 15 iv. Add a note to the plan that states, "The landscaping will be
- 16 installed at the time of building permit."
- 17
- 18 b. The Permittee shall provide verification from the Register of Deeds
- 19 that the letter of acceptance as required by the approval of the
- 20 special permit has been recorded.
- 21 c. The Permittee shall provide verification from the Register of Deeds
- 22 that the required easements as shown on the site plan have been
- 23 recorded.
- 24 d. The construction plans must substantially comply with the approved
- 25 plans.
- 26 3. Before occupying the parking lot, all development and construction shall
- 27 substantially comply with the approved plans.
- 28 4. All privately-owned improvements, including landscaping, shall be
- 29 permanently maintained by the Permittee.

1 5. The physical location of all setbacks and yards, buildings, parking and
2 circulation elements, and similar matters must be in substantial compliance with the
3 location of said items as shown on the approved site plan.

4 6. The terms, conditions, and requirements of this resolution shall run with
5 the land and be binding on the Permittee, its successors, and assigns.

6 7. The Permittee shall sign and return the letter of acceptance to the City
7 Clerk. This step should be completed within 60 days following the approval of the
8 special permit. The City Clerk shall file a copy of the resolution approving the special
9 permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be
10 paid in advance by the Permittee. Building permits will not be issued unless the letter of
11 acceptance has been filed.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2015: _____ Mayor
