

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1939B

1 WHEREAS, Nebraska Heart Institute, P.C. has submitted an application
 2 designated as Special Permit No. 1939B for authority to revise the parking layout, to add
 3 parking spaces, to add 33,500 square feet of medical office space, and to increase the
 4 maximum building height from 35' to 44' in the R-3 Residential District, on property located
 5 at S. 91st Street and the proposed Heritage Lakes Drive, and legally described to wit:

6 Lot 1, Nebraska Heart Hospital Addition, Lincoln, Lancaster
 7 County, Nebraska;

8 WHEREAS, the real property adjacent to the area included within the site
 9 plan for this change in the parking layout, additional parking spaces, and increase in
 10 medical office area of the special permit will not be adversely affected; and

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

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

16 That the application of Nebraska Heart Institute, P.C., hereinafter referred to
 17 as "Permittee", to revise the parking layout, to add parking spaces, and to add 33,500
 18 square feet of medical office space, on the property legally described above, be and the
 19 same is hereby granted under the provisions of Section 27.63.080 of the Lincoln Municipal
 20 Code upon condition that construction and operation of said hospital and medical office

1 building be in strict compliance with said application, the site plan, and the following
2 additional express terms, conditions, and requirements:

3 1. This permit approves 80 beds in 95,000 square feet of hospital floor
4 area and 63,500 square feet of medical office floor area.

5 2. The maximum building height requirement is hereby waived to allow
6 a building height adjustment from 35 feet to 44 feet in the R-3 Residential District.

7 3. Any application for further expansion, except for 12 accessory multi-
8 family dwelling units for temporary lodging of family and hospital visitors, must be
9 accompanied by a traffic study which identifies any impact on the street network and by a
10 plan to mitigate said impacts.

11 4. Before receiving building permits:

12 a. The Permittee shall have submitted a revised and reproducible
13 final plan including five copies.

14 b. The operation and the premises must conform to all applicable
15 state and federal requirements.

16 c. The construction plans must conform to the approved plans.

17 d. Parking lot screening must be shown.

18 e. Revise the site plan to add a note stating: This special permit
19 is located within a residential district and does not affect the
20 "P.M. Peak Hour Net Commercial Vehicle Trips" cap set forth
21 in the Conditional Annexation and Zoning Agreement for S.
22 84th and Highway 2.

23 5. Before occupying the additional 33,500 square feet of medical office

1 space allowed by this permit all development and construction must conform to the
2 approved plans.

3 6. All privately-owned improvements shall be permanently maintained by
4 the owner.

5 7. The site plan approved by this permit shall be the basis for all
6 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
7 elements, and similar matters.

8 8. The terms, conditions, and requirements of this resolution shall be
9 binding and obligatory upon the Permittee, its successors, and assigns. The building
10 official shall report violations to the City Council which may revoke the special permit or
11 take such other action as may be necessary to gain compliance.

12 9. The Permittee shall sign and return the City's letter of acceptance to
13 the City Clerk within 30 days following approval of the special permit, provided, however,
14 said 30-day period may be extended up to six months by administrative amendment. The
15 City Clerk shall file a copy of the resolution approving the special permit and the letter of
16 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
17 Permittee.

18 10. The site plan as approved with this resolution voids and supersedes
19 all previously approved site plans, however, all resolutions approving previous permits
20 remain in force unless specifically amended by this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2003:

Mayor