

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1583A

1 WHEREAS, Raybould Partners, Ltd. has submitted an application designated
 2 as Special Permit No. 1583A for authority to add parking stalls in a residential district to
 3 serve the existing grocery store on property located at S. 17th and Garfield Streets, and
 4 legally described to wit:

5 Lots 1-6, Block 3, and all of the vacated east-west alley
 6 adjacent thereto, and the west 20 feet of vacated 18th Street
 7 adjacent to Lots 1 and 6, A. Hurlbut's Subdivision, Lots A, B,
 8 and E of Miller and Winships Subdivision of W.W. Holmes
 9 Subdivision, Lots 11, 12, and 13, and Lots 8, 9, and 10, W.W.
 10 Holmes Subdivision, located in the Northwest Quarter of
 11 Section 36, Township 10 North, Range 6 East of the 6th P.M.,
 12 Lincoln, Lancaster County, Nebraska;

13 WHEREAS, the real property adjacent to the area included within the site
 14 plan for this parking expansion into the residential district will not be adversely affected;
 15 and

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

19 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
 20 Lincoln, Nebraska:

21 That the application of Raybould Partners, Ltd., hereinafter referred to as
 22 "Permittee", to add parking stalls in a residential district to serve the existing grocery store,
 23 on the property legally described above, be and the same is hereby granted under the

1 provisions of Section 27.63.170 of the Lincoln Municipal Code upon condition that
2 construction and operation of said parking lot be in strict compliance with said application,
3 the site plan, and the following additional express terms, conditions, and requirements:

4 1. This permit approves the use of a residential lot as a parking lot for an
5 adjacent grocery store in the commercial district.

6 2. Before receiving building permits:

7 a. The Permittee must submit an acceptable, revised final plan.

8 b. The construction plans must conform to the approved plans.

9 3. Before occupying the parking lot all development and construction
10 must be completed in conformance with the approved plans.

11 4. All privately-owned improvements must be permanently maintained
12 by the Permittee.

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, its successors, and assigns. The building
18 official shall report violations to the City Council which may revoke the special permit or
19 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.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2004:

Mayor