

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

SPECIAL PERMIT NO. 04060

1           WHEREAS, Lincoln Federal Savings Bank has submitted an application  
 2 designated as Special Permit No. 04060 for authority to operate an early childhood care  
 3 facility for up to 140 children in the O-3 Office Park District on property located at N. 24th  
 4 Street south of Superior Street, and legally described to wit:

5           A part of Lot 3, Block 2, Northview 1st Addition, located in the  
 6 Northeast Quarter of the Northeast Quarter of Section 12,  
 7 Township 10 North, Range 6 East of the 6th P.M., Lincoln,  
 8 Lancaster County, Nebraska and more particularly described  
 9 as follows:

10           Beginning at the southwest corner of said Lot 3; thence in a  
 11 northerly direction, along the west line of said Lot 3, on an  
 12 assumed bearing of north 00 degrees 03 minutes 44 seconds  
 13 east, for a distance of 229.50 feet to the northwest corner of  
 14 said Lot 3; thence south 89 degrees 56 minutes 25 seconds  
 15 east, along the north line of said Lot 3, for a distance of 67.40  
 16 feet; thence along the north line of said Lot 3, on a curve to the  
 17 left having a radius of 600.00 feet and an arc length of 101.41  
 18 feet, being subtended by a chord of north 85 degrees 11  
 19 minutes 05 seconds east, for a distance of 101.29 feet; thence  
 20 south 09 degrees 39 minutes 25 seconds east for, a distance  
 21 of 192.84 feet to a point on the south line of said Lot 3; thence  
 22 south 76 degrees 36 minutes 44 seconds west, along the  
 23 south line of said Lot 3, for a distance of 206.54 feet to the  
 24 point of beginning; said property contains 38,752 sq. ft. more  
 25 or less.

26           WHEREAS, the community as a whole, the surrounding neighborhood, and  
 27 the real property adjacent to the area included within the site plan for this early childhood  
 28 care facility will not be adversely affected by granting such a permit; and

29           WHEREAS, said site plan together with the terms and conditions hereinafter  
 30 set forth are consistent with the comprehensive plan of the City of Lincoln and with the

1 intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health,  
2 safety, and general welfare.

3 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
4 Lincoln, Nebraska:

5 That the application of Lincoln Federal Savings Bank, hereinafter referred to  
6 as "Permittee", to operate an early childhood care facility for 140 children in the O-3 Office  
7 Park District be and the same is hereby granted under the provisions of Section 27.63.070  
8 of the Lincoln Municipal Code upon condition that construction of said early childhood care  
9 facility be in strict compliance with said application, the site plan, and the following  
10 additional express terms, conditions, and requirements:

11 1. This permit approves the operation of an early childhood care facility  
12 for up to 140 children in the O-3 Office Park District.

13 2. A waiver to the requirement that the facility be located on an arterial  
14 street is approved.

15 3. Before receiving building permits:

16 a. The Permittee must submit an acceptable, revised final plan  
17 including 7 copies.

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

19 c. Final Plats within the area or this special permit shall be  
20 approved by the City.

21 d. The operation and the premises must meet appropriate local  
22 and state licensing requirements, including compliance with  
23 health codes.

24 e. The administrative amendment #04090 is approved.

1           4.     Before occupying the building all development and construction must  
2 conform to the approved plans.

3           5.     All privately-owned improvements must be permanently maintained  
4 by the Permittee or an appropriately established homeowners association approved by the  
5 City Attorney.

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

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

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

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

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

Approved this \_\_\_ day of \_\_\_\_\_, 2004:  
  
\_\_\_\_\_  
Mayor