

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

SPECIAL PERMIT NO. 04073

1           WHEREAS, St. Monica’s Home has submitted an application designated as  
 2 Special Permit No. 04073 for authority to operate a 14,000 sq. ft. health care facility for up  
 3 to 24 residents and requested waivers to the required landscaping and to allow parking in  
 4 the front yard along Lakewood Drive on property located at Wedgewood Drive and  
 5 Lakewood Drive, and legally described to wit:

6                       Lots 13 - 16, Block 2, Wedgewood Manor, in the Northwest  
 7                       Quarter of Section 27, Township 10 North, Range 7 East of the  
 8                       6th P.M., Lincoln, Lancaster County, Nebraska;

9           WHEREAS, the real property adjacent to the area included within the site  
 10 plan for this health care facility 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 St. Monica’s Home, hereinafter referred to as  
 17 "Permittee", to operate a 14,000 sq. ft. health care facility for up to 24 residents, on the  
 18 property legally described above, be and the same is hereby granted under the provisions  
 19 of Section 27.63.080 of the Lincoln Municipal Code upon condition that construction and  
 20 operation of said health care facility be in strict compliance with said application, the site  
 21 plan, and the following additional express terms, conditions, and requirements:

1           1.     This approval permits a 14,000 square foot health care facility for up  
2 to 24 residents. Lot coverage for the building shall not exceed 35%. The requirement that  
3 side and front yards be landscaped is hereby waived for the side yard and the front yard  
4 along Lakewood Drive. The requirement prohibiting parking in the front yard is hereby  
5 waived for the front yard along Lakewood Drive.

6           2.     Before receiving building permits:

7           a.     The Permittee must submit 8 copies of the approved and  
8                 revised final plan.

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

10          c.     The operation and the premises must comply with local, state,  
11                 and federal requirements.

12          3.     Before occupying the dwelling units all development and construction  
13 shall have been completed in compliance with the approved plans.

14          4.     All privately-owned improvements shall be permanently maintained by  
15 the Permittee.

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

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

23          7.     The Permittee shall sign and return the City's letter of acceptance to  
24 the City Clerk within 30 days following approval of the special permit, provided, however,

1 said 30-day period may be extended up to six months by administrative amendment. The  
2 City Clerk shall file a copy of the resolution approving the special permit and the letter of  
3 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the  
4 Permittee.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_ day of \_\_\_\_\_, 2005:

\_\_\_\_\_  
Mayor