

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 310D

1 WHEREAS, The Ambassador Lincoln has submitted an application designated
 2 as Special Permit No. 310D to allow for the renovation and expansion of the existing health care
 3 facility, with a request to adjust the allowed height and side setback requirements, on property
 4 generally located at South Cotner Boulevard and Normal Boulevard, legally described as:

5 Lot 188 I.T., located in the Southwest Quarter of Section 32,
 6 Township 10 North, Range 7 East of the 6th P.M., Lincoln,
 7 Lancaster County, Nebraska;

8
 9 WHEREAS, the real property adjacent to the area included within the site plan for
 10 the expanded health care facility will not be adversely affected; and

11 WHEREAS, said site plan together with the terms and conditions hereinafter set
 12 forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to
 13 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 The Ambassador, hereinafter referred to as "Permittee", to
 17 renovate and expand the health care facility on property legally described above be and the
 18 same is hereby granted under the provisions of Section 27.63.080 of the Lincoln Municipal
 19 Code upon condition that construction of said health care facility be in substantial compliance
 20 with said application, the site plan, and the following additional express terms, conditions, and
 21 requirements:

- 22 1. This approval permits a health care facility with a maximum 35% lot
 23 coverage and reduces the side yard setback along the east lot line from 35' to 10' and increases
 24 the maximum height from 35' to 45'.

- 1 2. Before receiving building permits the Permittee shall:
- 2 a. Submit to the Planning Department a revised and reproducible
3 final plot plan including 5 copies showing the following required
4 revisions.
- 5 i. Designate the 100-year floodplain and FEMA cross-
6 sections and elevations on the plan.
- 7 ii. Revise the setbacks to define the building envelope as
8 follows: 25' along the north lot line; 10' along the east lot
9 line; 10' north of the north line of the bike trail easement;
10 35' along the west lot line.
- 11 iii. Revise the setbacks to parking to show 10' from the north
12 line of the bike trail easement, and 6' from the west lot line.
- 13 iv. Revise the landscaping note to state "All landscaping to be
14 provided per LMC and Design Standards at the time of
15 building permit."
- 16 v. Add a general note that states "All new parking to comply
17 with LMC and Design Standards.
- 18 vi. Re-label "South Cotner Boulevard (Private Roadway)" as
19 "Driveway".
- 20 vii. Re-label "Existing 8' Sidewalk" as "Existing 8' Bike Trail".
- 21 viii. Show finished floor elevation, which must be one foot
22 above existing 100-year floodplain.
- 23 ix. Revise site plan to the satisfaction of Public Works and
24 Utilities.
- 25 b. Provide documentation that an easement has been granted to The
26 Ambassador allowing shared access to the driveway onto Normal
27 Blvd located on the adjacent property to the west.
- 28 c. The construction plans must substantially comply with the
29 approved plans.
- 30 3. Before occupying the buildings, all development and construction must
31 substantially comply with the approved plans.
- 32 4. All privately-owned improvements, including landscaping, must be
33 permanently maintained by the Permittee.

1 5. The physical location of all setbacks, yards, buildings, parking, and
2 circulation elements and similar matters must be in substantial compliance with the location of
3 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 upon the Permittee, its successors and assigns.

6 7. The Permttee shall sign and return the letter of acceptance to the City
7 Clerk within 60 days following the approval of the special permit, provided, however, said 60-
8 day period may be extended up to six months by administrative amendment. The City Clerk
9 shall file a copy of the resolution approving the special permit and the letter of acceptance with
10 the Register of Deeds, filling fees therefor to be paid in advance by the Permittee.

11 8. The site plan as approved with this resolution voids and supersedes all
12 previously approved site plans, however the terms and conditions of all prior resolutions
13 approving Special Permit 310 as amended shall remain in full force and effect except as
14 specifically amended by this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2009:

Mayor