

RESOLUTION NO. A-_____

PRE-EXISTING USE PERMIT NO. 13D

1 WHEREAS, Hoppe Hall Inc. has submitted an application in accordance with
 2 Sections 27.27.080 of the Lincoln Municipal Code designated as Pre-Existing Use Permit No.
 3 13D to amend Pre-Existing Use Permit No. 13 in order to reduce the number of required parking
 4 stalls from 255 to 189 on property generally located at S. 48th Street and Briarpark Drive, and
 5 legally described as:

6 Lots 1, Briarpark Plaza Addition and Outlot C, Briarhurst Addition,
 7 Lincoln, Lancaster County, Nebraska;

8 WHEREAS, the real property adjacent to the area included within the site plan for
 9 this amendment to the pre-existing use permit will not be adversely affected; and

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

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

15 That the application of Hoppe Hall Inc., hereinafter referred to as "Permittee", to
 16 amend Pre-Existing Use Permit No. 13 in order to reduce the number of required parking stalls
 17 from 255 to 189, on the property legally described above be and the same is hereby granted
 18 under the provisions of Section 27.31.100 of the Lincoln Municipal Code upon condition that
 19 operation of said development be in substantial compliance with said application, the site plan,
 20 and the following additional express terms, conditions, and requirements:

- 21 1. This permit approves the reduction of parking from 255 stalls to 189 stalls.
- 22 2. Before receiving building permits the Permittee shall provide documentation from
- 23 the Register of Deeds that the letter of acceptance as required by the approval of this use
- 24 permit has been recorded. In addition, before receiving building permits the Permittee shall

1 cause to be prepared and submitted to the Planning Department a revised and reproducible
2 final site plan including five copies with all required revisions listed below.

3 a. Add a note to the site plan stating the Resolution number approving the
4 parking reduction from 255 to 189. In that note add that 6 of the 189 parking stalls are reserved
5 for handicap stalls.

6 b. Remove from the site plan the 6 stalls south of Earl May that are being
7 used for seasonal sales.

8 c. Show that the 18 stalls in the northeast corner of the parking lot can be
9 re-stripped to meet design standards.

10 d. Add to the General Notes, "Signs need not be shown on this site plan, but
11 need to be in compliance with Chapter 27.69 of the Lincoln Zoning Ordinance and must be
12 approved by Building & Safety Department prior to installation."

13 e. Show the Sonic property as part of the use permit but note that this
14 property is not included as part of the stalls of required parking.

15 3. Before occupying buildings all development and construction must substantially
16 comply with the approved plans.

17 4. All privately-owned improvements, including landscaping and recreational
18 facilities, are to be permanently maintained by the Permittee or an appropriately established
19 association approved by the City.

20 5. The physical location of all setbacks and yards, buildings, parking and circulation
21 elements, and similar matters must be in substantial compliance with the location of said items
22 as shown on the approved site plan.

23 6. This resolution's terms, conditions, and requirements bind and obligate the
24 Permittee, its successors and assigns.

25 7. The Permittee shall sign and return the letter of acceptance to the City Clerk
26 within 60 days following the approval of the special permit, provided, however, said 60-day
27 period may be extended up to six months by administrative amendment. The clerk shall file a

1 copy of the resolution approving the special permit and the letter of acceptance with the
2 Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

3 8. The site plan as approved with this resolution voids and supersedes all
4 previously approved site plans; however all resolutions approving previous permits remain in
5 force unless specifically amended by this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2010:

Mayor