

RESOLUTION NO. A-_____

USE PERMIT NO. 140F

1 WHEREAS, Menard, Inc. has submitted an application designated as Use Permit No.
2 140F to reduce the parking requirement for a home improvement store to one space per 500
3 square feet of floor area, on property generally located at 8900 Andermatt Drive, and legally
4 described as:

5 Lot 2, Block 1, Appian Way Addition, located in Section 23,
6 Township 9 North, Range 7 East of the 6th P.M., Lincoln,
7 Lancaster County, Nebraska.

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

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

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

15 That the application of Menard, Inc., hereinafter referred to as "Permittee", for a waiver
16 to reduce the parking requirement for a home improvement store to one space per 500 square
17 feet of floor area, on the property legally described above, be and the same is hereby granted
18 upon condition that construction and operation be in substantial compliance with said

1 application, the site plan, and the following additional express terms, conditions, and
2 requirements:

3 1. This permit approves a parking reduction to one space per 500 square feet of
4 floor area for a home improvement store.

5 2. Before receiving building permits:

6 a. The Permittee shall cause to be prepared and submitted to the Planning
7 Department a revised and reproducible final plot plan including **3** copies with all required
8 revisions as listed below:

9 i. Revise Sheet 1 of the Appian Way use permit plan set to include
10 the parking reduction for the subject property.

11 b. Provide documentation that the letter of acceptance, as required by the
12 approval of the special permit, has been recorded with the Register of Deeds.

13 3. Before occupying the areas for expansion all development and construction is to
14 substantially comply with the approved plans.

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

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

21 6. The terms, conditions, and requirements of this resolution shall run with the land
22 and be binding upon the Permittee, its successors, and assigns.

23 7. The Permittee shall sign and return the letter of acceptance to the City Clerk.
24 This step should be completed within 60 days following the approval of the special permit. The
25 City Clerk shall file a copy of the resolution approving the special permit and the letter of
26 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
27 Permittee. Building permits will not be issued unless the letter of acceptance has been filed.

1 8. The site plan as approved with this resolution voids and supersedes all
2 previously approved site plans, however, the terms and conditions of all resolutions approving
3 previous versions of this permit shall remain in full force, except as specifically amended by this
4 resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2017:

Mayor