

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 168B

1 WHEREAS, McMaster Enterprises, Inc., has submitted an application designated
 2 as Special Permit No. 168B, to amend the existing special permit for a parking lot in a
 3 residential district, to allow for the expansion of a paved parking lot and to adjust the
 4 front yard setback, on property generally located at South 13th Street and H Street,
 5 legally described as:

6 The East Half of Lot 8 and Lots 9 through 12, Block 126,
 7 Original Lincoln, located in the Northeast Quarter of Section
 8 26, Township 10 North, Range 6 East of the 6th P.M.,
 9 Lincoln, Lancaster County, Nebraska;

10 WHEREAS, the real property adjacent to the area included within the site plan for
 11 this parking lot will not be adversely affected; and

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

15 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
 16 Lincoln, Nebraska:

17 That the application of McMaster Enterprises, Inc., hereinafter referred to as
 18 "Permittee", to expand a parking lot in a residential district and to adjust the required
 19 front yard setback, on property legally described above be and the same is hereby
 20 granted under the provisions of Section 27.63.170 of the Lincoln Municipal Code upon
 21 condition that construction of said parking lot be in substantial compliance with said
 22 application, the site plan, and the following additional express terms, conditions, and
 23 requirements:

1 1. This permit approves expansion of an existing parking lot to increase the
2 area by approximately 10,000 square feet and approves a reduction of the front yard
3 setback along H Street from 10 feet to 5 feet.

4 2. Before receiving building permits:

5 a. The Permittee shall submit a revised and reproducible site plan
6 including four copies showing the following revisions to the Planning Department for
7 review and approval:

8 i. Add a note to the site plan that states, "The front yard
9 setback along H Street is reduced from 10 feet to 5 feet. No
10 portion of the vehicle may be parked in the front yard
11 setback."

12 ii. Add a note to the landscape plan that states, " The
13 landscaping shown on this plan will be installed at the time of
14 building permit."

15 iii. Add a note to the site plan that states, "The parking stalls
16 and drive aisles shown on this plan are conceptual and
17 subject to minor changes."
18

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

23 b. The Permittee shall provide verification from the Register of Deeds
24 that the letter of acceptance as required by the approval of the
25 special permit has been recorded.

26 3. Before occupying the parking lot, all development and construction shall
27 substantially comply with the approved plans.

28 4. All privately-owned improvements, including landscaping, shall be
29 permanently maintained by the Permittee or an appropriately established association
30 approved by the City.

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

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

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2015:

Mayor