

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

SPECIAL PERMIT NO. 15041

1           WHEREAS, E & G Enterprises, LLC has submitted an application designated as  
2 Special Permit No. 15041 for authority to operate an early childhood care facility for up to 125  
3 children, together with a request to waive the conversion plan, on property located at 8120 O  
4 Street Street, and legally described as:

5                       Lots 20 & 64 Irregular Tracts located in Section 22, Township 10  
6                       North, Range 7 East of the 6<sup>th</sup> P.M., Lincoln, Lancaster County,  
7                       Nebraska;

8           WHEREAS, the real property adjacent to the area included within the site plan for  
9 this early childhood care facility 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 E & G Enterprises, LLC, hereinafter referred to as  
16 "Permittee", to operate an early childhood care facility for up to 125 children, on the property  
17 legally described above, be and the same is hereby granted under the provisions of Section  
18 27.63.070 of the Lincoln Municipal Code upon condition that construction and operation of said

1 child care facility be in strict compliance with said application, the site plan, and the following  
2 additional express terms, conditions, and requirements:

3 1. This permit approves an early childhood care facility for up to 125 children  
4 and 22 employees, with a waiver to Design Standards to not provide a conversion plan for a  
5 facility in a residential district.

6 2. Before receiving building permits:

7 a. The Permittee shall cause to be prepared and submitted to the  
8 Planning Department a revised and reproducible final site plan  
9 including four copies showing the following revisions:

10 i. Add a note to the plan that states, "Public access  
11 easements will be granted, as shown on the site plan, prior  
12 to building permit for any portion of public sidewalk on  
13 private property."

14 ii. Add a note to the plan that states, "The landscaping shown  
15 on this plan will meet the minimum standards for parking  
16 lot screening and will be installed at the time of building  
17 permit."

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

23 iv. Add a note to the plan that states, "The building footprints  
24 and parking stalls shown on this plan are conceptual and  
25 subject to minor adjustments."

26 v. Dimension the streetscape to verify the public sidewalk is 8  
27 feet from the back of curb.

28 vi. Revise the grading plan to avoid runoff in the northwest  
29 section of the property to the satisfaction of the Public  
30 Works and Utilities Department.

31 vii. Add the following text to note 7, "Buildings may be built  
32 anywhere on the site outside of the setbacks."  
33

34 b. Provide verification from the Register of Deeds that the letter of  
35 acceptance has been recorded as required by the approval of the  
36 special permit.

1 c. Provide verification that the required easements as shown on the  
2 site plan have been recorded with the Register of Deeds.

3 3. Before occupying the building, all development and construction must  
4 substantially comply with the approved plans.

5 4. All privately-owned improvements, including landscaping and recreational  
6 facilities, shall be permanently maintained by the Permittee.

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

10 6. The terms, conditions, and requirements of this resolution shall run with  
11 the land and be binding and obligatory upon the Permittee and the Permittees' successors and  
12 assigns.

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

Introduced by:

\_\_\_\_\_

Approved as to Form and Legality:

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

Approved this \_\_\_ day of \_\_\_\_\_, 2015:

\_\_\_\_\_  
Mayor