

Waiver 15015

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

1                   WHEREAS, Lank, LLC, pursuant to Lincoln Municipal Code § 27.67.030(f) has  
2 requested special review and approval allowing a waiver of the additional required parking for a  
3 change of use of an existing 3,384 square foot building on property in the B-1 Local Business  
4 District from an early childhood care facility to a kennel. The property is located at 2205  
5 Highway 2 and legally described as:

6                   Lot 35 I.T., located in Section 12, Township 9 North, Range 6 East  
7 of the 6<sup>th</sup> P.M., Lincoln, Lancaster County, Nebraska;

8                   WHEREAS, the City Council finds that:

9                   a.       Under the parking regulations for the B-1 zoning district a change in use  
10 of the existing building from an early childhood care facility to a kennel will require the kennel  
11 use to provide 12 parking stalls based upon the ratio of one off-street parking stall per 300 sq. ft.  
12 of floor area, which is three more than the nine parking stalls currently available on the property.

13                   b.       Reducing the required parking to nine parking stalls will accommodate the  
14 kennel and will also allow the building to be occupied in the future by other uses that are  
15 allowed in the B-1 zoning district, which have the same parking requirement of one off-street  
16 parking stall per 300 square feet of floor area, without negatively impacting neighbors.

17                   NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
18 Lincoln, Nebraska:

1 In consideration of the findings made above, the B-1 zoning district parking  
2 regulation requiring that the change of use of the existing building from an early childhood care  
3 facility to a kennel on the property legally described above provide three additional parking stalls  
4 is hereby modified pursuant to § 27.67.030(f) of the Lincoln Municipal Code under the following  
5 conditions:

6 1. This approval reduces the required parking from 12 parking stalls to 9  
7 parking stalls for kennels and any other future use in the existing 3,384 square foot building that  
8 is allowed in the B-1 district which has the same parking requirement of one off-street parking  
9 stall per 300 square feet of floor area.

10 2. The terms, conditions, and requirements of this resolution shall run with  
11 the land and be binding on the Permittee, its successors, and assigns.

12 3. The City Clerk shall file a copy of the resolution approving the waiver with  
13 the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

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

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

\_\_\_\_\_  
Mayor