

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

SPECIAL PERMIT NO. 08052

1           WHEREAS, South Ridge Village LLC has submitted an application designated  
2 as Special Permit No. 08052 for authority to operate an 11,000 square foot early childhood  
3 care facility for up to 130 children, together with a requested waiver of the requirement that  
4 an early childhood care facility with 31 or more children be located on an arterial street, on  
5 property located at S. 29th Street and Porter Ridge Road, and legally described to wit:

6                   A portion of Outlot "A", South Ridge Village 6th Addition  
7 and Lot 14, South Ridge Village Addition, Lincoln,  
8 Lancaster County, Nebraska, more particularly described  
9 as follows:

10                   Commencing at the northwest corner of Lot 2, Block 1,  
11 Porter Ridge 3rd Addition; thence on the west line of said  
12 Lot 2, south 00 degrees 06 minutes 19 seconds west, a  
13 distance of 47.52 feet to the point of beginning; thence  
14 continuing on said bearing south 00 degrees 06 minutes  
15 19 seconds west, a distance of 254.48 feet to the  
16 southeast corner of Lot 14, South Ridge Village Addition;  
17 thence on the south line of said Lot 14, South Ridge  
18 Village Addition, south 69 degrees 18 minutes 11  
19 seconds west, a distance of 115.80 feet; thence on a  
20 circular curve to the left, having a radius of 561.00 feet, a  
21 central angle of 29 degrees 19 minutes 57 seconds and  
22 whose chord (284.08 feet) bears north 35 degrees 34  
23 minutes 25 seconds west; thence on the arc of said  
24 circular curve 287.20 feet to the point of tangency; thence  
25 north 50 degrees 14 minutes 26 seconds west, a distance  
26 of 15.40 feet; thence north 79 degrees 12 minutes 30  
27 seconds east, a distance of 291.05 feet to the point of  
28 beginning and containing a calculated area of 49,010.62  
29 square feet or 1.13 acres;

1           WHEREAS, the community as a whole, the surrounding neighborhood, and the  
2 real property adjacent to the area included within the site plan for this early childhood care  
3 facility will not be adversely affected by granting such a permit; and

4           WHEREAS, said site plan together with the terms and conditions hereinafter set  
5 forth are consistent with the comprehensive plan of the City of Lincoln and with the intent  
6 and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety,  
7 and general welfare.

8           NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
9 Lincoln, Nebraska:

10           That the application of South Ridge Village, LLC, hereinafter referred to as  
11 "Permittee", to operate an early childhood care facility for 130 children be and the same is  
12 hereby granted under the provisions of Section 27.63.070 of the Lincoln Municipal Code  
13 upon condition that construction of said early childhood care facility be in strict compliance  
14 with said application, the site plan, and the following additional express terms, conditions,  
15 and requirements:

16           1.     This approval permits an early childhood care facility for up to 130 children  
17 along with a waiver of the requirement that access be taken from an arterial street.

18           2.     The City Council must approve the related change of zone #08073 and Use  
19 Permit #100B.

20           3.     Before approval of a final plat the Permittee shall cause to be prepared and  
21 submitted to the Planning Department:

22           a.     A revised and reproducible final plot plan including five copies with all  
23 required revisions as listed below:

24           i.     Delete General Note #s 3, 5, and 7 and Waiver No. 2.

- 1                   ii.    Add “was granted with UP100B” to Waiver #s 3 and 4 on the  
2                   site plan.
- 3                   iii.   Add to General Note No. 2 on the site plan “Any changes to  
4                   number of employees and children will not increase parking  
5                   requirements over 39 stalls.”
- 6                   iv.    Add a note to General Notes on the site plan that “Landscaping  
7                   and screening need not be shown on this plan but will be  
8                   provided for at the time of building permit.”
- 9                   b.    Provide documentation from the Register of Deeds that the letter of  
10                  acceptance as required by the approval of the special permit has been  
11                  recorded.
- 12                4.    Before receiving building permits the construction plans must substantially  
13                comply with the approved plans.
- 14                5.    Before occupying this early childhood care facility, all development and  
15                construction must substantially comply with the approved plans.
- 16                6.    All privately-owned improvements, including landscaping and recreational  
17                facilities, must be permanently maintained by the Permittee or an appropriately established  
18                owners association by the City.
- 19                7.    The physical location of all setbacks and yards, buildings, parking and  
20                circulation elements, and similar matters must be in substantial compliance with the  
21                location of said items as shown on the approved site plan.
- 22                8.    The terms, conditions, and requirements of this resolution shall run with the  
23                land and be binding on the Permittee, its successors, and assigns.
- 24                9.    The Permittee shall sign and return the letter of acceptance to the City  
25                Clerk within 60 days following the approval of the special permit, provided, however, said  
26                60-day period may be extended up to six months by administrative amendment. The City  
27                Clerk shall file a copy of the resolution approving the special permit and the letter of

1 acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the  
2 Permittee.

3 10. The site plan as approved with this resolution voids and supersedes all  
4 previously approved site plans, however, the terms and conditions of all resolutions  
5 approving previous permits shall remain in full force and effect except as specifically  
6 amended by this resolution.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

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

Approved this ___ day of _____, 2009:  _____ Mayor
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