

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1662A

1 WHEREAS, Star City Optimist Youth Foundation has submitted an
 2 application in accordance with Section 27.63.130 of the Lincoln Municipal Code
 3 designated as Special Permit No. 1662A to amend the site plan for an outdoor
 4 recreational facility, to change the hours of operation and to allow the sale of alcohol for
 5 consumption on the premises as an accessory use to the outdoor recreational facility,
 6 with a request to waive the requirements for side and front yard setbacks, on property
 7 generally located at South Folsom Street and West Pioneers Boulevard, and legally
 8 described as:

9 Lots 47 and 49 Irregular Tracts, located in the Southeast
 10 Quarter of Section 10, Township 9 North, Range 6 East of
 11 the 6th P.M., Lancaster County, Nebraska;

12 WHEREAS, the real property adjacent to the area included within the site
 13 plan for this recreational facility will not be adversely affected; and
 14

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

1 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
2 Lincoln, Nebraska:

3 That the application of Star City Optimist Youth Foundation, hereinafter
4 referred to as "Permittee", for authority to amend the site plan for an outdoor
5 recreational facility, to change the hours of operation and to allow the sale of alcohol for
6 consumption on the premises as an accessory use to the outdoor recreational facility,
7 on the property legally described above, be and the same is hereby granted under the
8 provisions of Section 27.63.130 of the Lincoln Municipal Code upon condition that
9 development of the outdoor recreational facility be in substantial compliance with said
10 application, the site plan, and the following additional express terms, conditions, and
11 requirements:

12 1. This permit approves an Outdoor Recreational Facility for ball
13 fields, accessory structures, sale of alcoholic beverages for consumption on the
14 premises as an accessory use to the outdoor recreational facility, a reduction of the
15 front yard setback to 25 feet as shown on the site plan and a reduction of the side yard
16 setback to 25 feet for ballfields only on the north property line.

17 2. The City Council must approve the associated request, Text
18 Amendment #14003.

19 3. Before receiving building permits (if no final plat is required) or
20 before a final plat is approved (if a final plat is required):

21 a. The Permittee shall cause to be prepared and submitted to
22 the Planning Department a revised and reproducible final

- 1 site plan including five copies showing the following revisions:
- 2 i. Add a note that states the hours of operation with the
3 revision to state Monday-Saturday 8:00 a.m. to 11:00
4 p.m. and Sunday 8:00 a.m. to 10:00 p.m.
 - 5 ii. In Note 2 delete Salt Creek Roadway and Pioneers
6 Blvd. and insert Highway 77.
 - 7 iii. Add a note that accessory buildings are allowed
8 anywhere outside of the setbacks and need not be
9 shown.
 - 10 iv. Add a note that the minimum parking shall be 60
11 stalls per ball field.
 - 12 v. Revise the grading and drainage plan to the
13 satisfaction of Public Works & Utilities Department.
 - 14 vi. Make corrections to the Grading & Drainage Plan to
15 the satisfaction of Public Works & Utilities
16 Department.
 - 17 vii. Change the side yard setback to 60 feet on the south
18 boundary and to 25' setback for ball fields only on the
19 north boundary.
 - 20
21 viii. Add to the General Notes, "Signs need not be shown
22 on this site plan, but need to be in compliance with
23 Chapter 27.69 of the Lincoln Zoning Ordinance, and
24 must be approved by Building & Safety Department
25 prior to installation".
26
 - 27 b. Provide the following documents to the Planning
28 Department:
 - 29 i. Verification from the Register of Deeds that the letter
30 of acceptance as required by the approval of the
31 special permit has been recorded.
 - 32
33 ii. Verification that the required easements as shown on
34 the site plan have been recorded with the Register of
35 Deeds.

1 4. Before receiving a building permit the construction plans must
2 substantially comply with the approved plans.

3 5. Before starting the operation all development and construction shall
4 substantially comply with the approved plans.

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

8 7. The terms, conditions, and requirements of this resolution shall run
9 with the land and be binding upon the Permittee, its successors and assigns.

10 8. The Permittee shall sign and return the letter of acceptance to the
11 City Clerk. This step should be completed within 60 days following the approval of the
12 special permit. The City Clerk shall file a copy of the resolution approving the special
13 permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be
14 paid in advance by the Permittee.

15 9. The site plan as approved with this resolution voids and supersedes
16 all previously approved site plans; however the terms and conditions of all prior
17 resolutions approving this permit remain in full force and effect except as amended by
18 this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2014:

Mayor