

RESOLUTION NO. A- _____
SPECIAL PERMIT NO. 687A

1 WHEREAS, EPIC Church (formerly Lincoln Family Church) has submitted an application
2 designated as Special Permit No. 687A for an early childhood care facility for up to 90 children,
3 with a waiver to Section 1.3, Chapter 3.90 of the Design Standards for Early Childhood Care
4 Facilities requiring that facilities with 31 or more children take access from a collector street if
5 the applicant’s lot is a corner lot with frontage on the collector and arterial street, on property
6 generally located at 4005 North 70th Street, and legally described as:

7 Lots 11 thru 16, Block 1, Ackerman Addition to Havelock,
8 EXCEPT the North Half of Lots 15 and 16, and the East 1.0 foot of
9 the North Half of Lot 14, Block 1, Ackerman Addition to Havelock,
10 located in the Northeast Quarter of Section 9, Township 10 North,
11 Range 7 East of the 6th Principal Meridian, City of Lincoln,
12 Lancaster County, Nebraska and being more particularly
13 described as follows:

14 Referring to the Northeast corner of Lot 16, Block 1, Ackerman
15 Addition to Havelock, a 1" Pipe found for corner; thence southerly
16 on an assumed bearing of South 00°10'48" West, on the East line
17 of said Lot 16, 71.00 feet, to the true Point of Beginning; thence
18 continuing on the last described bearing, on the East line of Lot
19 16, 71.00 feet, to the Southeast corner of Block 1, Ackerman
20 Addition to Havelock; thence South 89°58'17" West, on the South
21 line of Block 1, Ackerman Addition to Havelock, 291.28 feet, to the
22 Southwest corner of Lot 11, Block 1, Ackerman Addition to
23 Havelock; thence North 00°00'18" East, on the West line of Lot 11,
24 Block 1, Ackerman Addition to Havelock, 142.15 feet, to a point of
25 intersection on the North line of the South Half of said Block 1;
26 thence North 89°59'58" East, on the North line of the South Half of
27 Block 1, 199.28 feet; thence departing said North line South
28 00°00'18" West, 71.03 feet; thence North 89°59°08" East, 92.22

1 feet, to the Point of Beginning. Containing a total calculated area
2 of 34,859 square feet, or 0.800 acres, more or less;

3 WHEREAS, the community as a whole, the surrounding neighborhood, and the real
4 property adjacent to the area included within the site plan for this special permit will not be
5 adversely affected by granting such a permit; and

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

10 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln,
11 Nebraska:

12 That the application of EPIC Church (formerly Lincoln Family Church), hereinafter
13 referred to as "Permittee", for an early childhood care facility for up to 90 children, with a waiver
14 from Section 1.3, Chapter 3.90 of the City of Lincoln Design Standards for Early Childhood Care
15 Facilities requiring that facilities with 31 or more children take access from a collector street if
16 the applicant's lot is a corner lot with frontage on the collector and arterial street, be in
17 substantial compliance with said application, the site plan, and the following additional express
18 terms, conditions, and requirements:

19 1. This permit approves an early childhood care facility for up to 90 children with a
20 waiver from Section 1.3, Chapter 3.90 of the City of Lincoln Design Standards for Early
21 Childhood Care Facilities requiring that facilities with 31 or more children take access from a
22 collector street if the applicant's lot is a corner lot with frontage on the collector and arterial
23 street.

24 2. Before receiving building permits or before a final plat is approved:

25 a. The Permittee shall cause to be prepared and submitted to the Planning
26 Department a revised and reproducible final site plan including 3 copies with all required
27 revisions as listed below:

- 1 i. On the sheet titled "Site Plan", clarify that this special permit is
2 only applicable to the area noted as Parcel 2 by distinguishing
3 said boundary from other parcel boundaries shown on the "Site
4 Plan."
- 5 ii. Illustrate the dimensions of the setback to the playground on the
6 south side.
- 7 iii. Illustrate the dimensions of the parking stalls.
- 8 iv. Confirm whether the regular parking and ADA parking stalls meet
9 the Design Standards for Parking Lots and ADA standards, and
10 revise the parking layout accordingly as needed.
- 11 v. Show parking lot screening per the Design Standards for
12 Screening and Landscaping.
- 13 vi. Add the following note: "The existing freestanding sign for the
14 church on the northwest corner of N. 70th Street and Kearney
15 Avenue does not meet the provisions of Section 27.69.160 and
16 cannot be used by the daycare in the current location."
- 17 vii. Add the following note: "Signs need not be shown on this site
18 plan, but all signs need to be in compliance with chapter 27.69 of
19 the Lincoln Zoning Ordinance. All signs must be approved by
20 Building & Safety Department prior to installation."
- 21 viii. Revise the Conversion Plan (Alternative Use Plan) to remove
22 mention of uses not allowed by right in the R-3 zoning district
23 (triplex and quadplex) to the satisfaction of the Planning Director.
- 24 b. The Permittee shall provide verification that the letter of acceptance as
25 required by the approval of the special permit has been recorded with the Register of Deeds.
- 26 3. Before occupying the buildings, all development and construction shall
27 substantially comply with the approved plans.
- 28 4. The physical location of all setbacks and yards, buildings, parking and circulation
29 elements, and similar matters must be in substantial compliance with the location of said items
30 as shown on the approved site plan.
- 31 5. The terms, conditions, and requirements of this resolution shall run with the land
32 and be binding upon the Permittee, its successors, and assigns.
- 33 6. The Permittee shall sign and return the letter of acceptance to the City Clerk.
34 This step should be completed within 60 days following the approval of the special permit. The

1 City Clerk shall file a copy of the resolution approving the special permit and the letter of
2 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
3 Permittee. Building permits will not be issued until the letter of acceptance has been filed.

4 7. The site plan as approved with this resolution voids and supersedes all
5 previously approved site plans, however all prior resolutions approving this permit remain in full
6 force and effect as specifically amended by this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2018:

Mayor