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INST NO 2003  
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2003 APR 22 P 4: 12  
LANCASTER COUNTY, NE

RESOLUTION NO. PC- 00802

SPECIAL PERMIT NO. 384E

1 WHEREAS, Tabitha, Inc. has submitted an application designated as  
2 Special Permit No. 384E for authority to construct a new Rehabilitation Center for both in-  
3 patient and out-patient, and 14 new private nursing beds, and to demolish the existing  
4 administration building on property located at 47th and Randolph Streets, and legally  
5 described to wit:

6 Lot 22 I.T., located in the Northeast Quarter of Section 29,  
7 Township 10 North, Range 7 East of the 6th P.M., Lancaster  
8 County, Nebraska;

9 WHEREAS, the Lincoln City-Lancaster County Planning Commission has  
10 held a public hearing on said application; and

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

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

18 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster  
19 County Planning Commission of Lincoln, Nebraska:

20 That the application of Tabitha, Inc., hereinafter referred to as "Permittee", to  
21 construct a new Rehabilitation Center for both in-patient and out-patient, and 14 new  
22 private nursing beds, and to demolish the existing administration building be and the same

*Teresa - City Clerk*

1 is hereby granted under the provisions of Section 27.63.080 the Lincoln Municipal Code  
2 upon condition that construction of said addition be in strict compliance with said  
3 application, the site plan, and the following additional express terms, conditions, and  
4 requirements:

5 1. This permit approves an addition to a health care facility (nursing  
6 home) to provide for a new Rehabilitation Center for both in-patient and out-patient care,  
7 14 new private nursing beds, and the demolition of the existing administration building.

8 2. Before demolition or renovation of any existing commercial structure,  
9 an asbestos survey must be completed. Ten or more working days before demolition,  
10 notification of demolition must be provided to the Lincoln Lancaster County Health  
11 Department.

12 3. All wind and water erosion must be controlled during construction.

13 4. During the construction process off-site dust emissions must be  
14 controlled according to Lincoln Lancaster County Air Pollution Regulations and Standards  
15 Art. 2 § 32.

16 5. Before receiving building permits:

17 a. The construction plans must conform to the approved plans.

18 b. The operation and the premises must meet applicable local  
19 and state licensing requirements, including compliance with  
20 health codes.

21 6. Before occupying the dwelling units all development and construction  
22 must be completed in conformance with the approved plans.

1           7.     The site plan approved by this permit shall be the basis for all  
2 interpretations of setbacks, yards, locations of buildings, location of parking and circulation  
3 elements, and similar matters.


4           8.     The terms, conditions, and requirements of this resolution shall be  
5 binding and obligatory upon the Permittee and the Permittee's successors and assigns.  
6 The building official shall report violations to the City Council which may revoke the special  
7 permit or take such other action as may be necessary to gain compliance.

8           9.     The Permittee shall sign and return the City's letter of acceptance to  
9 the City Clerk within 30 days following approval of the special permit, provided, however,  
10 said 30-day period may be extended up to six months by administrative amendment. The  
11 City Clerk shall file a copy of the resolution approving the special permit and the letter of  
12 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the  
13 Permittee.

14           10.    The site plan as approved with this Resolution voids and supersedes  
15 all previously approved site plans, however all Resolutions approving previous permits  
16 remain in force unless specifically amended by this Resolution.

17           The foregoing Resolution was approved by the Lincoln City-Lancaster  
18 County Planning Commission on this 2nd day of April, 2003.

ATTEST:

  
\_\_\_\_\_  
Chair

Approved as to Form & Legality:

  
\_\_\_\_\_  
Chief Assistant City Attorney

## LETTER OF ACCEPTANCE

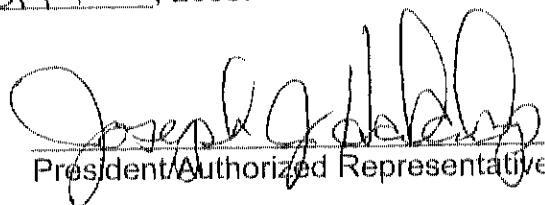
Lincoln City Council  
City of Lincoln  
Lincoln, Nebraska

RE: **Special Permit No. 384E**  
(Tabitha, Inc. - 47<sup>th</sup> & Randolph Streets)

TO THE CITY COUNCIL:

I, Joseph J. Hokenkamp, President or authorized representative of **Tabitha, Inc.**, herein called "Permittee" under **Special Permit No. 384E**, granted by Resolution No. PC-00802, adopted by the Lincoln City-Lancaster County Planning Commission on April 2, 2003, do hereby certify that I have thoroughly read said resolution, understand the contents thereof, and do hereby accept, without qualification, all of the terms, conditions and requirements therein.

DATED this 22 day of April, 2003.

  
\_\_\_\_\_  
President/Authorized Representative

LTRACCEP/jlu  
06/14/00

# C E R T I F I C A T E

STATE OF NEBRASKA                    )  
COUNTY OF LANCASTER                ) SS:  
CITY OF LINCOLN                        )

I, Teresa J. Meier, Deputy City Clerk of the City of Lincoln, Nebraska, do hereby certify that the above and foregoing is a true and correct copy of **Special Permit 384C** as adopted and approved by **Resolution No. PC-00802** of the Lincoln City-Lancaster County Planning Commission at its meeting held **April 2, 2003** as the original appears of record in my office, and is now in my charge remaining as Deputy City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 22<sup>nd</sup> day of April, 2003.

  
\_\_\_\_\_  
