



RESOLUTION NO. PC- Ø 1677

SPECIAL PERMIT NO. 19048

1 WHEREAS, 6135 O Street Car Wash, LLC has submitted an application designated as
2 Special Permit No. 19048 for reconstruction of a nonstandard use with reduction of the rear yard
3 setback from 30 feet to 15 feet while allowing vehicle driveways, drive aisles, and stacking in the
4 rear yard, on property generally located at 6135 O Street, and legally described as:

5 The remaining portions of Lots 2, 3, and East 5' of the north 195
6 feet of Lot 4, Block 4, Eastmont 2nd Addition, located in the
7 Northwest Quarter of Section 28, Township 10, Range 7, East of
8 the 6th P.M., Lincoln, Lancaster County, Nebraska;

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

11 WHEREAS, the property in question has been used as a car wash since 1969; and

12 WHEREAS, City records show that vehicle stacking was allowed in the required rear yard
13 beginning in 1969; and

14 WHEREAS, analysis conducted by City staff indicates that reconfiguration of the site will
15 result in more efficient traffic flow thereby not increasing the impact of the site on neighboring
16 uses; and

17 WHEREAS, the community as a whole, the surrounding neighborhood, and the real
18 property adjacent to the area included within the site plan for this reconstruction of a nonstandard
19 use will not be adversely affected by granting such a permit; and

1 WHEREAS, the adjustments to the required setbacks are necessary to facilitate
2 reconstruction of an existing building on the premises and will result in more efficient traffic flow
3 throughout the site; and

4 WHEREAS, said site plan together with the terms and conditions hereinafter set forth are
5 consistent with the 2040 Comprehensive Plan and with the intent and purpose of Title 27 of the
6 Lincoln Municipal Code to promote the public health, safety, and general welfare.

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

9 That the application of 6135 O Street Car Wash, LLC, hereinafter referred to as
10 "Permittee", for reconstruction of a nonstandard use with reduction of the rear yard setback from
11 30 feet to 15 feet and a waiver to allow vehicle driveways, drive aisles, and stacking in the rear
12 yard, on the property described above, be and the same is hereby granted under the provisions of
13 Section 27.63.280 of the Lincoln Municipal Code upon condition that the development be in
14 substantial compliance with said application, the site plan, and the following additional express
15 terms, conditions, and requirements:

16 1. This permit approves the reconstruction of a nonstandard use, while reducing the
17 rear yard setback from 30 feet to 15 feet and waiving the requirements of LMC § 27.72.060 to
18 allow vehicle driveways, drive aisles, and stacking in the rear yard.

19 2. Before receiving building permits the Permittee shall cause to be prepared and
20 submitted to the Planning Department a revised and reproducible final plot plan including 3 copies
21 with all required revisions and documents as listed below:

- 22 a. Show and dimension all existing easements on the property.
- 23 b. Show the 20' front yard setback.

1 c. Add "Required Rear Yard Setback" above the "Proposed Rear Setback" text
2 and note the 30' required setback in addition to the proposed 15' setback
3 for which a waiver is requested.

4 d. Identify parking on the west side as customer or employee parking and
5 provide instrument number for any access easement from adjacent property
6 for access to these stalls.

7 3. Before receiving building permits the Permittee shall provide verification from the
8 Register of Deeds that the letter of acceptance as required by the approval of the special permit
9 has been recorded.

10 4. Before occupying the dwelling units/buildings all development and construction
11 shall substantially comply with the approved plans.

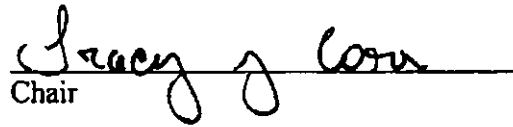
12 5. The physical location of all setbacks and yards, buildings, parking and circulation
13 elements, and similar matters must be in substantial compliance with the location of said items as
14 shown on the approved site plan.

15 6. The terms, conditions, and requirements of this resolution shall run with the land
16 and be binding upon the Permittee, its successors, and assigns.

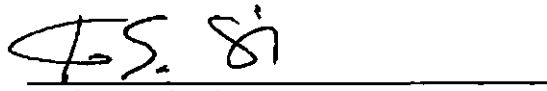
17 7. The Permittee shall sign and return the letter of acceptance to the City Clerk. This
18 step should be completed within 60 days following the approval of the special permit. The City
19 Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance
20 with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building
21 permits will not be issued until the letter of acceptance has been filed.

22 The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning
23 Commission on this 13th day of November, 2019.

ATTEST:


Chair

Approved as to Form & Legality:


Assistant City Attorney

LETTER OF ACCEPTANCE

City of Lincoln
Lincoln, Nebraska

RE: **Special Permit 19048** - to allow for the reconstruction of a nonstandard use for vehicle stacking in the rear yard and reduction of the rear-yard setback, (6135 O Street)

TO THE CITY CLERK:

The undersigned, "Permittee" under Special Permit 19048, granted by Resolution No. PC-01677, adopted by the Lincoln City-Lancaster County Planning Commission on November 13, 2019, hereby files this Letter of Acceptance and certifies to the City of Lincoln that the Permittee is fully aware of and understands all the conditions of said Resolution and that Permittee consents to and agrees to comply with the same.

Permittee further certifies that the person whose signature appears below has the authority to bind Permittee to the terms and conditions of this Letter of Acceptance, including Permittee's financial obligations under said Special Permit.

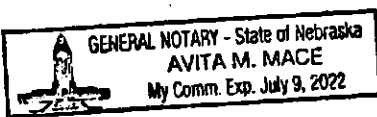
DATED the 25th day of November, 2019.

6135 O Street Car Wash, LLC, Permittee

By [Signature]
Title: Manager

STATE OF Nebraska)
COUNTY OF Dawson) ss.

The foregoing instrument was acknowledged before me this 25 day of November, 2019, by Christy Ann Robinson, the Manager of 6135 O Street Car Wash, LLC, as permittee.



[Signature]
Notary Public

CERTIFICATE

STATE OF NEBRASKA)

COUNTY OF LANCASTER) SS:

CITY OF LINCOLN)

I, Teresa J. Meier, 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 19048** as adopted and approved by **Resolution No. PC-01677** of the Lincoln City-Lancaster County Planning Commission at its meeting held **November 13, 2019** as the original appears of record in my office, and is now in my charge remaining as City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 19th day of November, 2019.

Teresa J. Meier
City Clerk

