

Waiver 09002

RESOLUTION NO. A-_____

1 WHEREAS, the Lincoln Family Church (“Owner”) has requested a waiver of the
 2 surfacing requirements for an expanded parking lot on property generally located two blocks
 3 south of the intersection of Highway 2 and South 70th Street and legally described as:

4 Lot 162, located in the Southeast Quarter of Section 16, Township
 5 9 North, Range 7 East of the 6th P.M., Lancaster County,
 6 Nebraska;

7 WHEREAS, the City Council finds that:

8 a. The parking lot for which the waiver of the surfacing requirement is
 9 requested is to be used in conjunction with a nonprofit religious institution;

10 b. Alternate materials or techniques will be utilized which provide reasonable
 11 control of dust, runoff, and safe circulation; and

12 c. The location of the parking lot is a sufficient distance from surrounding
 13 uses so that it will not adversely affect the surrounding uses, and the frequency of use of the
 14 parking lot is so low that compliance with the surfacing requirements at the present time would
 15 cause undue economic hardship upon the Owner as compared with minimal impact upon the
 16 surrounding land uses.

17 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
 18 Lincoln, Nebraska:

19 In consideration of the findings made above, the requirement for the paving of
 20 the parking lot for the Lincoln Family Church located two blocks south of Highway 2 and South
 21 70th Street on property legally described above is hereby waived pursuant to § 27.67.100(c) of
 22 the Lincoln Municipal Code under the following conditions:

1 1. This approval waives the requirement to pave the parking lot for four
2 years.

3 2. Before commencing use of the expanded parking lot the applicant shall
4 provide a revised site plan that shows the driveway paved from the concrete apron to the west
5 edge of the existing paved parking spaces.

6 3. Before commencing use of the expanded parking lot, all development and
7 construction must substantially comply with the approved plans.

8 4. The terms, conditions, and requirements of this resolution shall run with
9 the land and be binding on the Owner, its successors and assigns.

10 5. The Owner shall sign and return the letter of acceptance to the City Clerk
11 within 60 days following the approval of the waiver, provided however, said 60-day period may
12 be extended up to six months by administrative amendment. The City Clerk shall file a copy of
13 the resolution approving the waiver and the letter of acceptance with the Register of Deeds,
14 filing fees therefor to be paid in advance by the Owner.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2009:

Mayor