RESOLUTION NO. A-______________

PRE-EXISTING USE PERMIT NO. 3AH

WHEREAS, Campbell, LLC has submitted an application designated as Pre-
Existing Use Permit No. 3AH to amend the boundary of the Gateway Mall Use Permit by adding
the property at 6400 Q Street and authority to construct a total of 300 dwelling units and 70,000
square feet of commercial space or some combination of both, including waivers to increase the
maximum building height from 40 feet to 55 feet and to reduce residential parking requirements
from 2 to 1.4 stalls per dwelling unit, on property generally located at 6400 Q Street, and legally
described as:

Lots 1, 2, 3, 4, & 5, Gateway Shopping Center Subdivision; Lots 1, 2, 3, and Outlot A, Q Place, except east part for street; Lot 256 of
Irregular Tracts, except that part lying northwest of a line 40 feet
east of the centerline of Cotner Boulevard and except parts in
northwest and south for road; Lot 262 of Irregular Tracts except
south part for road; Lot 263 of Irregular Tracts except south part
for road; Lot 263 of Irregular Tracts except 544.35 square feet in
south for street; Lot 265 of Irregular Tracts except 2,835.50
square feet in south part for road; Lot 266 of Irregular Tracts
except the south portion of right-of-way of O Street; (Area H) Lot
163 of Irregular Tracts except 182.63 square feet in the southeast
corner for street; (Area I) Lot 212 except 3,741 square feet for
road in the southeast, all located in the South Half of Section 21,
Township 10 North, Range 7 East of the 6th P.M., Lancaster
County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for
this amendment to the pre-existing use permit will not be adversely affected; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
Lincoln, Nebraska:
That the application of Campbell, LLC, hereinafter referred to as "Permittee", to amend Pre-Existing Use Permit No. 3 to amend the boundary of the Gateway Mall Use Permit by adding the property at 6400 Q Street, for authority to construct a total of 300 dwelling units and 70,000 square feet of commercial space or some combination of both, including waivers to increase the maximum building height from 40 feet to 55 feet and to reduce residential parking requirements from 2 to 1.4 stalls per dwelling unit, on the property legally described above be and the same is hereby granted upon condition that operation of said development be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves up to 300 dwelling units and 70,000 square feet of commercial space, or some combination thereof, with waivers to reduce required residential parking from 2 to 1.4 stalls per unit as long as no more than 40% of the units have more than one bedroom and to increase allowable height from 40 feet to 55 feet provided that at least a 20 foot setback is provided on 66th Street and Q Street.

2. Before receiving building permits:
   a. The Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 3 copies with all required revisions as listed below:
      i. Show NRD easement and floodplain with cross sections and flood elevations to the satisfaction of Public Works Watershed Management.
      b. Provide documentation that the letter of acceptance, as required by the approval of the special permit, has been recorded with the Register of Deeds.

3. Prior to obtaining a building permit for new construction, the Permittee shall submit an administrative amendment with a grading plan for the area of construction.
4. Before occupying the buildings, all development and construction is to substantially comply with the approved plans.

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

6. This resolution’s terms, conditions, and requirements run with the land and shall be binding upon the Permittee, its successors, and assigns.

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

8. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however the terms and conditions of all resolutions/ordinances approving previous permits shall remain in force and effect except as specifically amended by this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of ____________, 2017:

Mayor