

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1979

1 WHEREAS, Chicago, Burlington, and Quincy Railroad Company has
 2 submitted an application designated as Special Permit No. 1979 for authority to construct
 3 a 143' tall broadcast tower and a waiver of the landscaping requirements on property
 4 located southwest of the intersection of Northwest Roundhouse Drive and West O Street,
 5 and legally described to wit:

6 Lot 109 I.T. located in the Northwest Quarter of Section 27,
 7 Township 10 North, Range 7 East of the 6th P.M., Lancaster
 8 County, Nebraska; and

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

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

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

18 That the application of Chicago, Burlington, and Quincy Railroad Company,
 19 hereinafter referred to as "Permittee", to construct a 143' tall broadcast tower be and the
 20 same is hereby granted under the provisions of Section 27.63.150 of the Lincoln Municipal

1 Code upon condition that construction of said broadcast tower be in strict compliance with
2 said application, the site plan, and the following additional express terms, conditions, and
3 requirements:

4 1. This permit approves a 143' tall broadcast tower and a waiver to the
5 design standard for landscaping.

6 2. Before receiving building permits:

7 a. The Permittee must submit an acceptable plan and five copies.

8 b. The construction plans must conform to the approved plans.

9 3. Before using the facility, all development and construction must be
10 completed in conformance with the approved plans.

11 4. The site plan approved by this permit shall be the basis for all
12 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
13 elements, and similar matters.

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

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2002:

Mayor