

(Appeal of Planning Commission Action)

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 23E

1 WHEREAS, Nebraska Wesleyan University has submitted an application
 2 designated as Pre-existing Special Permit No. 23E to amend the special permit to
 3 construct student housing for 352 students, a student campus center and library
 4 complex, and the relocation of the existing physical plant on property located between
 5 N. 50th and 56th Streets, and Huntington and Madison Avenues, and legally described
 6 to wit:

7 Lot 10, Block 49; the south 92 feet of Lots 7 and 8, Block 53; the
 8 south 3 feet of the east 92 feet of Lot 2 and all of Lots 3, 4, 5, and
 9 6, Block 77; Lots 4, 5, and 6, Block 85; Lots 5 and 6 except the
 10 east 12 feet of Block 97, Lots 1, 2, 3, 4, and 5, Block 99; Lots 1 and
 11 2, Block 100; the north 75 feet of Lot 1 and all of Lots 2, 3, 6, 7,
 12 and 8, Block 101; University Place Addition; and Lot 22 Irregular
 13 Tract; and an Irregular Tract between 50th and 56th Streets and
 14 Baldwin and Huntington Avenues; all located in the Northeast
 15 Quarter of Section 17, Township 10 North, Range 7 East of the 6th
 16 P.M., Lincoln, Lancaster County, Nebraska; and

17 WHEREAS, the Lincoln City-Lancaster County Planning Commission held
 18 a public hearing on April 3, 2002 and conditionally approved Special Permit No. 23E;
 19 and

20 WHEREAS, Craig Croat has appealed the action of the Lincoln City-
 21 Lancaster County Planning Commission approving Special Permit No. 23E; and

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

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

5 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
6 Lincoln, Nebraska:

7 That the application of Nebraska Wesleyan University, hereinafter
8 referred to as "Permittee", to construct student housing for 352 students, a student
9 campus center and library complex, and the relocation of the existing physical plant be
10 and the same is hereby granted under the provisions of Section 27.63.075 the Lincoln
11 Municipal Code upon condition that expansion of said accessory uses be in strict
12 compliance with said application, the site plan, and the following additional express
13 terms, conditions, and requirements:

14 1. This permit approves new student housing capable of
15 accommodating up to 352 students along with 200 new off-street parking spaces
16 located near the northeast corner of the campus, a Campus Center/Library Complex
17 which will replace the current student union and, designation of two alternate sites for
18 the relocation of the physical plant.

19 2. Before receiving building permits:

- 20 a. The Permittee must submit for review and approval to the
21 Planning Department a reproducible final site plan with five
22 copies as approved.
- 23 b. The construction plans must conform to the approved plans.

1 3. Before occupying these structures all development and
2 construction must be completed in conformance with the approved plans.

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

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

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

16 7. The site plan as approved with this resolution voids and
17 supersedes all previously approved site plans, however all resolutions approving
18 previous permits remain in force unless specifically amended by this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2001: _____ Mayor
