

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 2015

1 WHEREAS, Northgate Park, Inc. has submitted an application designated
 2 as Special Permit No. 1979 for authority to construct a 220' tall broadcast tower for AM
 3 band radio and a waiver of the landscaping screening requirements on property located
 4 northwest of the intersection of North 33rd Street and Gladstone Street, and legally
 5 described to wit:

6 A part of Lot 162 I.T., located in the Southwest Quarter of
 7 Section 7, Township 10 North, Range 7 East of the 6th P.M.,
 8 Lancaster County, Nebraska, more particularly described as
 9 follows:

10 Commencing at the southwest corner of said Lot 162, said
 11 corner also being the northwest corner of Outlot "A", Spilker's
 12 Addition, and extending thence north 11 degrees 25 minutes
 13 53 seconds east, 631.56 feet to the point of beginning; thence
 14 continuing on said bearing 350.00 feet to the northwest corner
 15 of said Lot 162; thence along the north line of said Lot 162
 16 south 84 degrees 27 minutes 55 seconds east, 350.00 feet;
 17 thence south 11 degrees 25 minutes 53 seconds west, 350.00
 18 feet; thence north 84 degrees 27 minutes 55 seconds west,
 19 350.00 feet to the point of beginning containing 2.80 acres,
 20 more or less;

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

24 WHEREAS, said site plan together with the terms and conditions hereinafter
 25 set forth are consistent with the comprehensive plan of the City of Lincoln and with the
 26 intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health,

1 safety, and general welfare.

2 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
3 Lincoln, Nebraska:

4 That the application of Northgate Park, Inc., hereinafter referred to as
5 "Permittee", to construct a 220' tall broadcast tower for AM band radio be and the same
6 is hereby granted under the provisions of Section 27.63.150 of the Lincoln Municipal Code
7 upon condition that construction of said broadcast tower be in strict compliance with said
8 application, the site plan, and the following additional express terms, conditions, and
9 requirements:

10 1. This permit approves a 220' tall broadcast tower and a waiver to the
11 design standard for landscape screening.

12 2. Before receiving building permits:

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

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

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

17 4. All privately-owned improvements must be permanently maintained
18 by the owner or an appropriately established homeowners association approved by the City
19 Attorney.

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

23 6. The terms, conditions, and requirements of this resolution shall be

1 binding and obligatory upon the Permittee and the Permittee's successors and assigns.
2 The building official shall report violations to the City Council which may revoke the special
3 permit or take such other action as may be necessary to gain compliance.

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2003: _____ Mayor
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