

RESOLUTION NO. A-_____

1 WHEREAS, Lord of Life Lutheran Church has requested a waiver of the
2 surfacing requirements for a church parking lot located on property generally located at
3 70th and Highway 2 and legally described as:

4 Lot 112, Irregular Tract located in the Southeast Quarter of
5 Section 16, Township 9 North, Range 7 East of the 6th P.M.,
6 Lancaster County, Nebraska; **EXCEPT** the east 10 feet
7 thereof and **EXCEPT** that part more particularly described
8 as follows:

9 Beginning at the northeast corner of said Lot 112 I.T., said
10 point also being the southeast corner of Lot 3, Lee's
11 Summit; thence south 89 degrees 41 minutes 34 seconds
12 west along the north line of said Lot 112 I.T., a distance of
13 7.96 feet to a point; thence south 00 degrees 24 minutes 16
14 seconds east, a distance of 511.29 feet to a point; thence
15 south 00 degrees 39 minutes 24 seconds west, a distance of
16 113.50 feet to a point on the south line of said Lot 112 I.T.;
17 thence north 89 degrees 41 minutes 43 seconds east along
18 the south line of said Lot 112 I.T., a distance of 8.78 feet to
19 a point on the west right-of-way line of South 70th Street;
20 thence north 00 degrees 17 minutes 14 seconds west along
21 the west right-of-way line of said South 70th Street, a
22 distance of 624.77 feet to the point of beginning;

23 and **EXCEPT**

24 Referring to the northeast corner of said Lot 112 I.T., said
25 point also being the southeast corner of Lot 3, Lee's
26 Summit; thence south 89 degrees 41 minutes 34 seconds
27 west along the north line of said Lot 112 I.T., a distance of
28 7.96 feet to a point; thence south 00 degrees 24 minutes 16
29 seconds east, a distance of 343.55 feet to a point, said point
30 also being the point of beginning; thence south 44 degrees
31 35 minutes 45 seconds west, a distance of 21.21 feet to a
32 point; thence south 89 degrees 35 minutes 45 seconds
33 west, a distance of 35.0 feet to a point; thence south 00
34 degrees 24 minutes 15 seconds east, a distance of 80.0 feet
35 to a point; thence north 89 degrees 35 minutes 45 seconds
36 east, a distance of 35.0 feet to a point; thence south 45
37 degrees 42 minutes 15 seconds east, a distance of 21.21
38 feet to a point; thence north 00 degrees 24 minutes 16
39 seconds west, a distance of 110.0 feet to the point of
40 beginning;

41 WHEREAS, the City Council finds that:

1 a) The parking lot for which the waiver of the surfacing requirement is
2 requested is to be used in conjunction with a nonprofit religious institution;

3 b) Alternate materials or techniques shall be utilized which provide
4 reasonable control of dust, runoff, and safe circulation; and

5 c) The location of the parking lot is sufficient distance from
6 surrounding uses that it will not adversely affect the surrounding uses, and the
7 frequency of use of the parking lot is so low that compliance with the surfacing
8 requirements at the present time would cause undue economic hardship upon the
9 owner as compared with minimal impact upon the surrounding land uses.

10 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
11 Lincoln, Nebraska:

12 In consideration of the findings made above, the requirement for the
13 paving of the parking lot for Lord of Life Lutheran Church located at 6601 South 70th
14 Street on property legally described above is hereby waived pursuant to § 27.67.100(c)
15 of the Lincoln Municipal Code under the following conditions:

16 1) If it is later found that dust or noise, created by the use of the
17 parking lot exceeds the maximum levels set forth in Title 8 of the Lincoln Municipal
18 Code, then such waiver may, after notice and hearing by the City Council, be revoked,
19 and thereafter the use of the parking lot shall cease unless surfaced in accordance with
20 design standards.

21 2) This resolution's terms, conditions, and requirements bind and
22 obligate the permittee, its successors and assigns.

Introduced by:

Approved as to Form & Legality:

City Attorney _____

Approved this ___ day of _____, 2003:

Mayor