

Waiver 10022

RESOLUTION NO. A-_____

1 WHEREAS, CenterPointe Inc., has requested a waiver of the surfacing
 2 requirements for a parking lot on property generally located at the northwest corner of South 8th
 3 and C Streets and legally described as:

4 Lots 1 thru 4, Krause & Schmitts Addition, Lincoln, Lancaster
 5 County, Nebraska;

6 WHEREAS, the City Council finds that:

7 a. The parking lot for which the waiver of the surfacing requirement is
 8 requested is to be used in conjunction with a nonprofit institution;

9 b. Alternate materials or techniques will be utilized which provide reasonable
 10 control of dust, runoff, and safe circulation; and

11 c. The location of the parking lot is a sufficient distance from surrounding
 12 uses so that it will not adversely affect the surrounding uses, and the frequency of use of the
 13 parking lot is so low that compliance with the surfacing requirements at the present time would
 14 cause undue economic hardship upon the Owners as compared with minimal impact upon the
 15 surrounding land uses.

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

18 In consideration of the findings made above, the requirement for the paving of
 19 the parking lot for CenterPointe Inc. located at South 7th Street and C Street on property legally
 20 described above is hereby temporarily waived subject to revocation pursuant to § 27.67.100(c)
 21 of the Lincoln Municipal Code under the following conditions:

1 1. The approval waives the requirement to pave parking until such time as
2 there is a change in use or change to a type of group home where the majority of residents have
3 “vehicles on site” or additional parking is required.

4 2. The terms, conditions, and requirements of this resolution shall run with
5 the land and be binding on the CenterPointe, Inc., its successors and assigns.

6 3. The City Clerk shall file a copy of the resolution approving the waiver with
7 the Register of Deeds, filing fees therefor to be paid in advance by the Owner.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2010:

Mayor