

Don O'Neil
REGISTRAR

INST. NO 95

#32⁰⁹

Nov 17 11 29 AM '95

038197

BOOK
NO
PAGE
Chateau
X

Enter on Lots 1-5 Chateau

City Clerk

14

94R-167

Introduce: 7-11-94

RESOLUTION NO. A- 76228

SPECIAL PERMIT NO. 1174D ✓

1 WHEREAS, Chateau Development has submitted an application designated
2 as Special Permit No. 1174D for authority to amend Chateau La Fleur/Charleston
3 Court Community Unit Plan to add area and to increase the authorized density on
4 property located at 56th and Holdrege Streets to Cotner Boulevard and Vine
5 Street, and legally described to wit:

6 Lots 237, 238, 239 and 240 of Irregular Tracts, that
7 portion of Block 17, Cotner Addition to Bethany north of
8 Cotner Blvd. and the abandoned Missouri Pacific Railroad
9 right-of-way in the Northwest Quarter of Section 21,
10 Township 10 North, Range 7 East of the 6th P.M.,
11 Lincoln, Lancaster County, Nebraska; and
12

13 WHEREAS, the real property adjacent to the area included within the
14 plot plan for this amendment to the Community Unit Plan will not be adversely
15 affected; and

16 WHEREAS, said plot plan together with the terms and conditions
17 hereinafter set forth are consistent with the intent and purpose of Title 27 of
18 the Lincoln Municipal Code to promote the public health, safety, and general
19 welfare.

20 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
21 Lincoln, Nebraska:

22 That the application of Chateau Development, hereinafter referred to
23 as "Permittee", to amend the Chateau La Fleur/Charleston Court Community Unit
24 Plan to add area and to increase the authorized density be and the same is

X

1 hereby granted under the provisions of Section 27.63.320 of the Lincoln Municipal
2 Code upon condition that development of said Community Unit Plan as amended be
3 in strict compliance with said application, the plot plan, and the following
4 additional express terms, conditions, and requirements:

5 1. This permit approves the development of 95 units of elderly or
6 retirement housing and the addition of the area of the abandoned Missouri Pacific
7 right-of-way to the existing Chateau La Fleur/Charleston Court Community Unit
8 Plan in the Northwest Quarter of Section 21, Township 10 North, Range 7 East.

9 2. Before receiving buildings permits:

- 10 a. The Permittee must submit a permanent reproducible final
11 plan as approved by the City Council.
- 12 b. The Permittee must submit a recreation plan approved by
13 the Parks and Recreation Department.
- 14 c. The Permittee must submit a landscape/screening plan
15 approved by the Planning Department.
- 16 d. The construction plans shall comply with the approved
17 plans.
- 18 e. The associated requests of Special Permit 1508 and
19 Change of Zone 2826 must be approved by the City
20 Council.
- 21 f. The Permittee must receive a 404 determination from the
22 Corps of Engineers.
- 23 g. The Lower Platte South NRD must review and approve an
24 erosion and sediment control plan and must approve the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

proposed 60 inch storm sewer outlet structure.

h. A blanket utility easement, excluding building envelopes, shall be recorded with the Register of Deeds.

3. Before occupying the dwelling units, all development and construction shall have been completed in compliance with the approved plans.

4. All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.

5. The Permittee shall annually certify to the Building Official that all occupied dwellings are occupied by individuals meeting the requirements for elderly or retirement housing.

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

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

1

94R-167

Introduced by:

Cynthia A. Johnson

AYES: Donaldson, Haar, Johnson,
Seng, Shoecraft, Wilson, Young;
NAYS: None.

Approved as to Form & Legality:

William J. Anderson
City Attorney

Staff Review Completed:

Mary A. Johnson
Administrative Assistant

APPROVED

JUL 21, 1994

[Signature]
MAYOR

ADOPTED

JUL 18 1994

By City Council

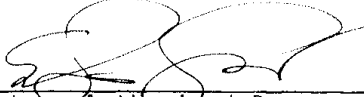
APPENDIX "A"

City Council
City of Lincoln
Lincoln, Nebraska

Re: Letter of Acceptance

TO THE CITY COUNCIL:

I, Stefan Gaspar ^{Vice}, President or authorized representative of CHATEAU DEVELOPMENT, herein called Permittee under SPECIAL PERMIT NO. ^{1174D}~~1147D~~, granted by Resolution No. A-76228, adopted by the City Council of the City of Lincoln, Nebraska, on JULY 18, 1994, do hereby certify that I have thoroughly read said resolution, understand the contents thereof and do hereby accept without qualification all of the terms, conditions, and requirements therein.


Vice President or Authorized Representative
(Individual able to legally bind
Permittee to conditions of SP 1147D)

Attorney-in-fact for Mr. Gaspar

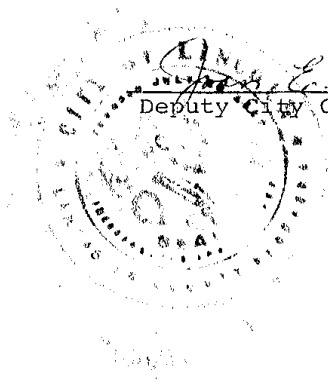
C E R T I F I C A T E

STATE OF NEBRASKA)
COUNTY OF LANCASTER) ss:
CITY OF LINCOLN)

I, Joan E. Ross, Deputy City Clerk of the City of
Lincoln, Nebraska, do hereby certify that the above and
foregoing is a true and correct copy of _____
SPECIAL PERMIT NO. 1174D/RESOLUTION NO. A-76228

as passed and approved by the City Council of the City of
Lincoln, Nebraska, at its meeting held JULY 18, 1994
as the original appears of record in my office, and is now in
my charge remaining as Deputy City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand
officially and affixed the seal of the City of Lincoln, Nebraska,
this 21 day of JULY, 1994.


Joan E. Ross
Deputy City Clerk

*Return to
City Clerk*