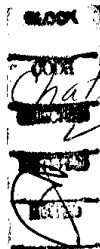


Nov 17 11 29 AM '95

INST. NO 95

038198



Now 26 1-5 Chateau 1

City Clerk

15

94R-168

Introduce: 7-11-94

RESOLUTION NO. A- 76229

SPECIAL PERMIT NO. 1508

1 WHEREAS, Chateau Development has submitted an application designated
 2 as Special Permit No. 1508 for authority to construct elderly or retirement
 3 housing on property located at 56th and Cotner Streets to Cotner Boulevard and
 4 Vine Street, and legally described to wit:

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

11
 12 WHEREAS, the real property adjacent to the area included within the
 13 plot plan for this elderly housing will not be adversely affected; and

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

18 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
 19 Lincoln, Nebraska:

20 That the application of Chateau Development, hereinafter referred to
 21 as "Permittee", to construct 95 units of elderly or retirement housing be and the
 22 same is hereby granted under the provisions of Section 27.63.210 of the Lincoln
 23 Municipal Code upon condition that construction and operation of said elderly or
 24 retirement housing be in strict compliance with said application, the plot plan,
 25 and the following additional express terms, conditions, and requirements:

1 1. This permit approves the construction and operation of 95 units
2 of elderly or retirement housing. Such development shall comply with Section 2A
3 and 2B of the "Design Standards for Density Bonuses" as adopted by the City
4 Council.

- 5 2. Before receiving building permits:
- 6 a. The Permittee must submit a recreation plan approved by
7 the Parks and Recreation Department.
 - 8 b. The Permittee must submit a landscape/screening plan
9 approved by the Planning Department.
 - 10 c. The construction plans shall comply with the approved
11 plans.
 - 12 d. The associated requests of Special Permit 1174D and
13 Change of Zone 2826 must be approved by the City
14 Council.
 - 15 e. The Permittee must receive a 404 determination from the
16 Corps of Engineers.
 - 17 f. The Lower Platte South NRD must review and approve an
18 erosion and sediment control plan and must approve the
19 proposed 60 inch storm sewer outlet structure.
 - 20 g. A blanket utility easement, excluding building envelopes
21 shall be recorded with the Register of Deeds.

22 3. Before occupying the dwelling units, all development and
23 construction must be completed in compliance with the approved plans.

24 4. All privately-owned improvements, including landscaping and
25 recreational facilities, shall be permanently maintained by the owner or an

1 appropriately established homeowners association approved by the City Attorney.

2 5. The Permittee shall annually certify that all occupied
3 dwellings are occupied by individuals meeting the requirements for elderly or
4 retirement housing.

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

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

Introduced by:

Cynthia Johnson

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

Approved as to Form & Legality:

William A. Fisher
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. 1508, granted by Resolution No. A-76229, 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.

[Signature]
Vice - President or Authorized Representative
(Individual able to legally bind
bind Permittee to conditions of SP 1508)

Attorney - in - fact for
Stefan Gaspar

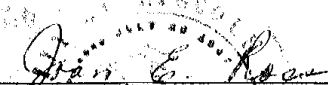
C E R T I F I C A T E

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

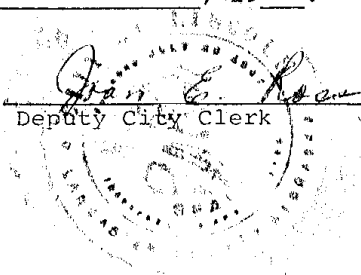
I, Joan E. Ross, Deputy City Clerk of the City of
Lincoln, Nebraska, do hereby certify that the above and
foregoing is a true and correct copy of _____
SPECIAL PERMIT NO. 1508/RESOLUTION NO. A-76229

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 SEPTEMBER, 1994.



Deputy City Clerk



*Return to
City Clerk*