

RESOLUTION NO. A- 76562

SPECIAL PERMIT NO. 1502

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AMENDED, 1/23/95.

WHEREAS, Hartland Homes, Inc. has submitted an application designated as Special Permit No. 1502 for authority to construct Hartland Homes East Community Unit Plan on property located at 80th Street and Old Cheney Road, and legally described to wit:

Lots 14 and 15 of Irregular Tracts in the Southeast Quarter of Section 10, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska; and

WHEREAS, the real property adjacent to the area included within the plot plan for this community unit plan will not be adversely affected; and

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

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

That the application of Hartland Homes, Inc., hereinafter referred to as "Permittee", to construct Hartland Homes East Community Unit Plan consisting of ²⁴³~~248~~ single family units, ¹~~2~~ ~~outlets~~ ^{outlot} for stormwater management, ²~~and~~ ~~outlots~~ ^{outlots} for future development, ¹~~and~~ ~~outlot~~ ^{outlot} for park purposes of Chapter 27.65 of the Lincoln Municipal Code upon condition that construction and operation of said community unit plan be in strict compliance with said application, the plot plan, and the following additional express terms,

1 conditions, and requirements:

2 This permit approves 243 single-family units, 1 outlet
3 ~~This permit approves 248 single-family units, 2 outlets for~~
4 for stormwater management, 2 outlets for future development, 1 outlet for
5 ~~stormwater management and 192 multiple-family units.~~ park purposes, and 192
6 multiple-family units.

7 2. The Permittee shall submit certified information from an
8 abstractor or an attorney indicating the current record owner(s) of all land
9 within the limits of this application.

10 3. The Permittee must revise the site plan to show:

11 ~~a. No more than 15 dwelling units per acre in the multiple-~~
12 ~~family area.~~

13 ~~ab. All the parking spaces located outside standard required~~
14 ~~yards.~~

15 ~~c. Additional open space that is useable and accessible to~~
16 ~~the residents of the community unit plan.~~

17 ~~d. Provide a transition between the multiple-family area~~
18 ~~and the boundary of the community unit plan.~~

19 ~~e. Provide a recreation area that is accessible to all~~
20 ~~residents of the community unit plan.~~

21 ~~bf. Revisions required with the approval of the preliminary~~
22 ~~plat.~~

(See page 5 for new subparagraph.)

23 4. Before receiving building permits the Permittee shall submit
24 the following:

a. A permanent reproducible final plan as approved.

b. A coordinated development and occupancy schedule
approved by the Director of Planning.

AMENDED, 1/23/95

- 1 c. A recreation plan approved by the Parks and Recreation
2 Department.
- 3 5. The construction plans must comply with the approved plans.
- 4 6. Final plats shall be approved by the City.
- 5 7. The City Council must approve Change of Zone 2818 and the
6 Hartland Homes East Preliminary Plat.
- 7 8. Before occupying this development construction shall be
8 completed in compliance with the approved plans.
- 9 9. All privately-owned improvements, including landscaping and
10 recreational facilities, shall be permanently maintained by the owner or an
11 appropriately established homeowners association approved by the City Attorney.
- 12 10. The terms, conditions, and requirements of this resolution
13 shall be binding and obligatory upon the Permittee, its successors, and assigns.
14 The building official shall report violations to the City Council which may
15 revoke the special permit or take such other action as may be necessary to gain
16 compliance.
- 17 11. The Permittee shall sign and return the City's letter of
18 acceptance to the City Clerk within 30 days following approval of the special
19 permit, provided, however, said 30-day period may be extended up to six months
20 by administrative amendment. The City Clerk shall file a copy of the resolution
21 approving the special permit and the letter of acceptance with the Register of
22 Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by:

Curt Donaldson

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

Approved as to Form & Legality:

William J. [Signature]
City Attorney

Staff Review Completed:

Mary A. Johnson
Administrative Assistant

10/3/94 Council Proceedings:

WILSON Moved to continue Public Hearing w/ Action to 10/17/94.
Seconded by Seng and carried by the following vote: AYES:
Donaldson, Johnson, Seng, Shoecraft, Wilson, Young; NAYS: None;
ABSENT: Haar.

10/17/94 Council Proceedings:

WILSON Moved to delay action w/ Public Hearing to 10/24/94.
Seconded by Young and carried by the following vote: AYES:
Donaldson, Haar, Johnson, Shoecraft, Wilson, Young; NAYS: None;
ABSENT: Seng.

10-24-94 Council Proceedings:

WILSON Moved to Defer Bill 94R-212 w/Continued Public Hearing
for Two Weeks.
Seconded by Seng and carried by the following vote:
AYES: Donaldson, Haar, Johnson, Seng, Shoecraft, Wilson;
NAYS: None; ABSENT: Young.

11-07-94 Council Proceedings:

WILSON Moved to Place Bill 94R-212 on Pending.
Seconded by Young and carried by the following vote:
AYES: Donaldson, Haar, Johnson, Seng, Shoecraft, Wilson, Young;
NAYS: None.

01/09/95 Council Proceedings:

YOUNG Moved to remove Bill 94R-212 from pending for public hearing
on 1/17/95.
Seconded by Wilson and carried by the following vote: AYES:
Donaldson, Haar, Johnson, Seng, Shoecraft, Wilson, Young; NAYS: None.

01-17-95 Council Proceedings:

YOUNG Moved to Continue Bill 94R-212 One Week.
Seconded by Johnson and carried by the following vote: AYES:
Donaldson, Haar, Johnson, Seng, Shoecraft, Wilson, Young; NAYS: None.

(see further Council Action on page 5)

1/23/95 Council Proceedings:

YOUNG Moved to amend Bill No. 94R-212 as shown in the attached Motion to Amend.

Seconded by Seng and carried by the following vote:
AYES: Donaldson, Haar, Johnson, Seng, Shoecraft, Wilson, Young; NAYS: None.

WILSON Moved to amend Bill No. 94R-212 by having it go back to the way it was in the May 9th site plan.

Seconded by Seng.
WILSON Withdrew the motion.

YOUNG Moved to amend Bill No. 94R-212 by adding a new subparagraph on page 2, after line 19, which would read as follows:

"The design standard that would permit no more than 15 dwelling units per acre in the multiple family area is hereby waived."

Seconded by Seng and carried by the following vote:
AYES: Donaldson, Haar, Johnson, Seng, Shoecraft, Wilson, Young; NAYS: None.

APPROVED

JAN. 21, 1995


MAYOR

ADOPTED

**JAN. 23, 1995
BY CITY COUNCIL**

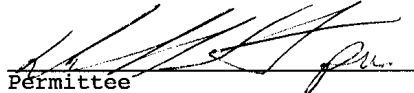
LETTER OF ACCEPTANCE

City Council
City of Lincoln
Lincoln, Nebraska

To The City Council:

I, JUVANE L. HARTMAN, President or authorized representative of Hartland Homes, Inc. referred to as Permittee in **Special Permit No. 1502**, granted by **Resolution No. A-76562**, adopted by the City Council of the City of Lincoln, Nebraska, on **January 23, 1995**, 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.

Dated this 10th day of July, 1995.


Permittee

HARTLAND HOMES
Permittee

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. 1502** approved by **Resolution No. A-76562** as passed and approved by the Lincoln City Council at its meeting held **January 23, 1995**, 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 6th day of February, 1995.

Joan E. Ross
Deputy City Clerk

BLOCK
CORRE
LAWSON COUNTY, NEB
Dan Nally
REGISTER OF DEEDS
\$35.50
FEB 13 1 54 PM '95
EDWARD
X INST. NO 95 - 3594

Ret. to City Clerk Long - 504