

Inst # 2017004583 Thu Feb 02 10:38:14 CST 2017
Filing Fee. \$34.00
Lancaster County, NE Assessor/Register of Deeds Office Pages 5

*File Against: Lots 1-11, Block 1, Lots 1-22, Block 2, Lots 1-4, Block 3, Lots 1-40, Block 4, and Lots 1-4, Block 5, Lots 1-4, Block 6, Vintage Heights 32nd Addition, Lincoln, Lancaster County, Nebraska, collectively referred to as the "32nd Addition Single Family Properties;" and Outlots A through F, Vintage Heights 32nd Addition

16R-43 Introduce: 3-7-16

RESOLUTION NO. A- 89550

SPECIAL PERMIT NO. 1762E

1	WHEREAS, Pine Lake Development, LLC has submitted an application designated as		
2	Special Permit No. 1762E to amend the Vintage Heights Community Unit Plan to increase the		
3	number of dwelling units from 964 to 990, on property generally located at South 98th Street and		
4	Old Cheney Road and legally described as:		
5 6 7 8	A tract of land composed of Outlot B, Vintage Heights 11 th Addition; Outlot C, Vintage Heights 20 th Addition; Outlot A, Vintage Heights 23 rd Addition; Outlot A, Vintage Heights 25 th Addition; and Outlot A, Vintage Heights 26 th Addition, Lincoln, Lancaster County, Nebraska;		
9	WHEREAS, the Lincoln City-Lancaster County Planning Commission held a public hearing		
10	on January 20, 2016 on said application and conditionally approved said special permit; and		
11	WHEREAS, the community as a whole, the surrounding neighborhood, and the real property		
12	adjacent to the area included within the site plan for this community unit plan will not be adversely		
13	affected by granting such a permit; and		
14	WHEREAS, said site plan together with the terms and conditions hereinafter set forth are		
15	consistent with the Comprehensive Plan of the City of Lincoln and with the intent and purpose of		
16	Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.		
17	NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln,		
18	Nebraska:		
19	That the application of the Pine Lake Development, LLC, hereinafter referred to as		
20	"Permittee", to amend the Vintage Heights Community Unit Plan to increase the number of dwelling		

1	units from 964 to 990, on the property described above, be and the same is hereby granted upon			
2	condition that construction of said community unit plan be in substantial compliance with said			
3	application, the site plan, and the following additional express terms, conditions, and requirements:			
4		is permit approves a total of 990 dwelling units within the CUP, approximately 84		
5		served by a sanitary sewer pump station.		
6		fore receiving building permits:		
7 8 9	a .	The Permittee shall cause to be prepared and submitted to the Planning Department a revised site plan including 5 copies with the following revisions:		
10 11 12		 Due to block length, show a pedestrian easement in a 15 foot wide outlot between Lots 14 and 15, Block 28. Revise the grading plan to show the easement meets ADA standards. 		
13 14 15		ii. Show a pedestrian easement leading from the cul-de-sac (south of Beaumont Drive) to 98th Street. Revise the grading plan to reflect the sidewalk and show that the easement meets ADA standards.		
16 17 18 19		iii. Add a pedestrian easement, in a minimum 15 foot wide outlot, from South 97th Street Circle to Nappa Ridge Drive to provide for pedestrian access to Kloefkorn Elementary School and as required by block length.		
20		iv. Provide a street name for the cul-de-sac in Block 28.		
21		v. Label the natural gas pipeline in Outlot B.		
22 23		vi. Identify the Pipeline Planning Area as determined by the Health Department.		
24		vii. Identify Outlot B, Vintage Heights 26th Addition on the CUP.		
25 26		viii. Identify those lots on the CUP which are to be served by the pump station.		
27 28	b.	The Permittee shall revise the grading and drainage plan to the satisfaction of Public Works and Utilities.		
29 30 31	C.	The Permittee shall enter into an agreement with the City regarding the terms of the ownership, maintenance, operation, and cost responsibilities of the pump station.		

1 Provide verification from the Register of Deeds that the letter of acceptance d. 2 has been recorded as required by the approval of the special permit. 3 Before occupying the new dwelling units all development and construction shall have 3. 4 been completed in substantial compliance with the approved plans. 5 All privately owned improvements shall be permanently maintained by the Permittee 4. 6 or an appropriately established owners association approved by the City. 7 5. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters shall be in substantial compliance with the location of said items as 8 9 shown on the approved site plan. 10 The terms, conditions, and requirements of this resolution shall run with the land and 6. be binding upon the Permittee, its successors, and assigns. 11 12 7. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City 13 Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance 14 with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building 15 permits will not be issued until the letter of acceptance has been filed. 16 17 8. The site plan as approved with this resolution voids and supersedes all previously 18 approved site plans, however the terms and conditions of all prior resolutions approving this permit shall remain in full force and effect except as specifically amended by this resolution. 19 Introduced by: Approved as to Form & Legality: Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

ADOPTED

MAR 1 4 2016

BY CITY COUNCIL

Approved this Charge of March , 2016:

Mayor

LETTER OF ACCEPTANCE

City of Lincoln Lincoln, Nebraska

> Special Permit 1762E RE:

To The City Clerk:

The undersigned, "Permittee" under Special Permit 1762E granted by Resolution No. A-89550, adopted by the City Council of the City of Lincoln, Nebraska, on March 14, 2016, hereby files this Letter of Acceptance and certifies to the City of Lincoln that the Permittee is fully aware of and understands all the conditions of said ordinance and that Permittee consents to and agrees to comply with the same.

Permittee further certifies that the person whose signature appears below has the authority to bind Permittee to the terms and conditions of this Letter of Acceptance, including Permittee's financial obligations under said Special Permit.

Dated this 30 day of 5ANVARY 2016

Pine Lake Development Permittee

STATE OF NEGRASKA

COUNTY OF LANCASTER) SS.

The foregoing instrument was acknowledged before me this ____ day of , 2016, by ROBERT D. HAMPTON, MUNAGER, on behalf of Pine Lake Development.

GENERAL NOTARY - State of Nebraska MARK A. HUNZEKER My Comm. Exp. March 21, 2018



CERTIFICATE

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

I, Soulinnee Phan, 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.**1762E approved by **Resolution No. A-89550**, adopted by the City Council on **March 14,**2016, 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 <u>11th</u> day of <u>May</u>, 2016.

Deputy City Cle