
14R-193

Introduce: 7-21-14

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1665C

1 WHEREAS, Chateau Development LLC has submitted an application designated
2 as Special Permit No. 1665C to amend the Van Dorn Meadows 1st Addition Community
3 Unit Plan to revise the layout from nine single-family lots to show 10 two-family dwelling
4 units and a 20 unit multiple-family building on property generally located at Sherman
5 Street and Holmes Park Road and legally described as:

6 Outlot B, Van Dorn Meadows 1st Addition, Lincoln,
7 Lancaster County, Nebraska;

8 WHEREAS, the Lincoln City-Lancaster County Planning Commission held a
9 public hearing on May 28, 2014 on said application and conditionally approved said
10 special permit; and

11 WHEREAS, Rebecca Z. McNeil has filed a Notice of Appeal appealing the action of
12 the Planning Commission conditionally approving Special Permit No. 1665C; and

13 WHEREAS, pursuant to Lincoln Municipal Code § 27.63.025, the action appealed
14 from is deemed advisory and the City Council is authorized to take final action on the
15 application for Special Permit No. 1665C; and

1 WHEREAS, the community as a whole, the surrounding neighborhood, and the real
2 property adjacent to the area included within the site plan for this community unit plan will
3 not be adversely affected by granting such a permit; and

4 WHEREAS, said site plan together with the terms and conditions hereinafter set
5 forth are consistent with the Comprehensive Plan of the City of Lincoln and with the intent
6 and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety,
7 and general welfare.

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

10 That the application of the Chateau Development LLC, hereinafter referred to as
11 “Permittee”, to amend the Van Dorn Meadows 1st Addition Community Unit Plan to revise
12 the layout from nine single-family lots to show 10 two-family dwelling units and a 20 unit
13 multiple-family building, on the property described above, be and the same is hereby
14 granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln
15 Municipal Code upon condition that construction of said community unit plan be in
16 substantial compliance with said application, the site plan, and the following additional
17 express terms, conditions, and requirements:

18 1. This permit approves a revised layout showing 10 two-family dwelling units
19 and one 20-unit multiple-family building for a total of 469 units within the CUP.

20 2. Before receiving building permits:

21 a. The Permittee shall cause to be prepared and submitted to the
22 Planning Department a revised and reproducible final plot plan
23 including five copies with the following revisions:

- 1 i. Revise the hammerhead turn-around so no paving is in the 20'
2 required front yard.
- 3 ii. Revise the building envelopes to show the increased setbacks
4 being proposed so the envelope for the apartment building is
5 fully dimensioned, with dimensions for the distance from the
6 perimeter lot setback to the building envelope. For the two-
7 family dwellings the building footprint inside the building
8 envelope needs to be deleted and the envelopes need to be
9 fully dimensioned including setbacks to lot lines and the
10 separation between envelopes.
- 11 iii. Show the minimum required setback between the sidewalk and
12 the garage is 22'.
- 13 iv. Add a note which states that street trees will be planted within
14 one year of building permit approval.
- 15 v. Add a note which states that the four lots being removed from
16 the CUP will be recombined with the adjacent outlots prior to
17 building permits for the dwelling units shown as part of this
18 amendment.
- 19 vi. Show the trees on the north end of the site to remain in place.
- 20 vii. Revise the grading and drainage plan revised to the
21 satisfaction of Public Works and Utilities.
- 22 b. The construction plans shall comply with the approved plans.
- 23 c. Final plats shall be approved by the City.
- 24 3. Before occupying the dwelling units all development and construction shall
25 have been completed in substantial compliance with the approved plans.
- 26 4. All privately owned improvements shall be permanently maintained by the
27 Permittee or an appropriately established owners association approved by the City
28 Attorney.

1 5. The physical location of all setbacks and yards, buildings, parking and
2 circulation elements, and similar matters shall be in substantial compliance with the
3 location of said items as shown on the approved site plan.

4 6. The terms, conditions, and requirements of this resolution shall run with the
5 land and be binding upon the Permittee, its successors and assigns.

6 7. The Permittee shall sign and return the letter of acceptance to the City Clerk.
7 This step should be completed within 60 days following the approval of the special permit.
8 The City Clerk shall file a copy of the resolution approving the special permit and the letter
9 of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
10 Permittee. Building permits will not be issued until the letter of acceptance has been filed.

11 8. The site plan as approved with this resolution voids and supersedes all
12 previously approved site plans, however the terms and conditions of all prior resolutions
13 approving this permit shall remain in full force and effect except as specifically amended
14 by this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2014: _____ Mayor
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