

RESOLUTION NO. A-\_\_\_\_\_

SPECIAL PERMIT NO. 1830A

1           WHEREAS, Richard Speidell and Earthworks, L.L.C. have submitted an  
 2 application designated as Special Permit No. 1830A for authority to amend Mandarin Court  
 3 Community Unit Plan consisting of three dwelling units to reduce the width of the private  
 4 roadway named Mandarin Court from 20 feet to 16 feet on property located at 4811  
 5 Mandarin Circle, and legally described to wit:

6                   Lot 4, Block 2, Pioneer Heights, and the ½ of vacated Capitol  
 7 Parkway adjacent thereto and Outlot "A", Pioneers Heights,  
 8 and the ½ of vacated Capitol Parkway adjacent thereto,  
 9 located in the Northeast Quarter of Section 10, Township 9  
 10 North, Range 7 East of the 6th P.M., Lancaster County,  
 11 Nebraska,

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

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

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

19           That the application of Richard Speidell and Earthworks, L.L.C., hereinafter  
 20 referred to as "Permittee", to amend Mandarin Court Community Unit Plan consisting of  
 21 three dwelling units, to reduce the width of the private roadway named Mandarin Court  
 22 from 20 feet to 16 feet, on the property legally described above, be and the same is hereby

1 granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln  
2 Municipal Code upon condition that construction and operation of said community unit plan  
3 be in strict compliance with said application, the site plan, and the following additional  
4 express terms, conditions, and requirements:

5 1. This permit approves a reduction of the standard width from 20 feet  
6 to 16 feet for Mandarin Court, a private roadway serving less than 30 parking spaces,  
7 provided the Permittee provides two feet of crushed rock on each side of the private  
8 roadway.

9 2. Before receiving building permits:

10 a. The Permittee must submit a revised and reproducible final  
11 plan and five copies to the Planning Department that includes  
12 the revisions requested by LES.

13 b. The construction plans must conform to the approved plans.

14 c. A final plat of Mandarin Court must be approved by the City or  
15 the Director of Planning.

16 3. Before occupying the new dwelling units all development and  
17 construction must be completed in conformance with the approved plans.

18 4. All privately-owned improvements must be permanently maintained  
19 by the Permittee or an appropriately established homeowners association approved by the  
20 City Attorney.

21 5. The site plan approved by this permit shall be the basis for all  
22 interpretations of setbacks, yards, locations of buildings, location of parking and circulation  
23 elements, and similar matters.

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

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

11          8.     The site plan as approved with this resolution voids and supersedes  
12 all previously approved site plans, however all resolutions approving previous permits  
13 remain in force unless specifically amended by this resolution.

Introduced by:  
\_\_\_\_\_

Approved as to Form & Legality:  
  
\_\_\_\_\_  
City Attorney

Staff Review Completed:  
  
\_\_\_\_\_  
Administrative Assistant

Approved this ___ day of _____, 2001:  _____ Mayor
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