

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

SPECIAL PERMIT NO. 1901A

1           WHEREAS, RLM, L.L.C. has submitted an application designated as Special  
 2 Permit No. 1901A to amend Vavik Ridge Community Unit Plan consisting of 22 dwelling  
 3 units for elderly housing to correct the lot dimensions and waiver of the required front yard,  
 4 side yard, rear yard, and depth to width ratio on property located at S. 56th Street and  
 5 Elkcrest Drive, and legally described to wit:

6           Vavik Ridge Addition, in the Northeast Quarter of Section 8,  
 7 Township 9 North, Range 7 East of the 6th P.M., Lincoln,  
 8 Lancaster County, Nebraska;

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

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

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

16           That the application of RLM, L.L.C., hereinafter referred to as "Permittee",  
 17 to amend Vavik Ridge Community Unit Plan consisting of 22 dwelling units for elderly  
 18 housing, on the property legally described above, be and the same is hereby granted under  
 19 the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon  
 20 condition that construction and operation of said community unit plan be in strict

1 compliance with said application, the site plan, and the following additional express terms,  
2 conditions, and requirements:

3 1. This permit approves a community unit plan with 22 dwelling units for  
4 elderly housing including 100 percent density bonus.

5 2. The City Council hereby approves the following modifications to the  
6 zoning and subdivision requirements:

7 a. A modification of Section 27.11.080(a) of the Lincoln Municipal  
8 Code to reduce the required front yard from 30 feet to 25 feet  
9 along S. 56th Street; from 30 feet to 26 feet along the north  
10 side of Vavik Place on Lots 1 and 2, Block 2 and the east and  
11 west side of S. 55th Court; and the required front yard of 30  
12 feet to 5 feet along the north side of Vavik Place on Lot 3,  
13 Block 1.

14 b. A modification of Section 27.11.080(a) of the Lincoln Municipal  
15 Code to reduce the required side yard from 20 feet to 5 feet on  
16 all lots.

17 c. A modification of Section 27.11.080(a) of the Lincoln Municipal  
18 Code to reduce the required rear yard from 20 percent of lot  
19 depth to 12 feet on Lots 1 through 8, Block 1, and to 20 feet on  
20 Lots 1 through 4, Block 2, and Lots 1 through 10, Block 3.

21 d. A waiver of Section 26.23.140(a) of the Lincoln Municipal Code  
22 requiring lots not to exceed a 3-to-1 depth to width ratio on  
23 Lots 1 through 8, Block 1, Lots 1 through 4, Block 2, and Lots  
24 1 through 10, Block 3.

25 e. A waiver of Section 26.23.095 of the Lincoln Municipal Code  
26 requiring sidewalks on the east side of S. 55th Court south of  
27 Vavik Place.

28 f. A modification of City of Lincoln Design Standards to reduce  
29 the required 4 feet between the curb and sidewalk to 0 feet on  
30 both sides of S. 55th Court.

31  
32 3. Before receiving building permits:

- 1                   a.     The Permittee must submit a revised and reproducible final
- 2                             plan including five copies to the Planning Department.
- 3                   b.     The construction plans must conform to the approved plans.
- 4                   c.     Final plats within Vavik Ridge CUP must be approved by the
- 5                             City.

6                   4.     During the construction process, the Permittee will be responsible for

7     controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air

8     Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall

9     include, but are not limited to, application of water to roads, driveways, parking lots on site,

10    site frontage and any adjacent business or residential frontage. Planting and maintenance

11    of vegetable ground cover will also be incorporated as necessary.

12                  5.     Before occupying the dwelling units all development and construction

13    must be completed in conformance with the approved plans.

14                  6.     All privately-owned improvements must be permanently maintained

15    by the Permittee or an appropriately established homeowners association approved by the

16    City.

17                  7.     The site plan approved by this permit shall be the basis for all

18    interpretations of setbacks, yards, locations of buildings, location of parking and circulation

19    elements, and similar matters.

20                  8.     The terms, conditions, and requirements of this resolution shall be

21    binding and obligatory upon the Permittee, their successors, and assigns. The building

22    official shall report violations to the City Council which may revoke the special permit or

23    take such other action as may be necessary to gain compliance.

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

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Staff Review Completed:

\_\_\_\_\_  
Administrative Assistant

Approved this \_\_\_ day of \_\_\_\_\_, 2001:

\_\_\_\_\_  
Mayor