

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

SPECIAL PERMIT NO. 1972

1           WHEREAS, John and Pam Rallis and Debra Placek have submitted an  
 2 application designated as Special Permit No. 1972 for authority to develop The Reserve  
 3 Community Unit Plan on property located at South 112th Street and Old Cheney Road,  
 4 and legally described to wit:

5                     Lot 20 I.T., located in Section 12, Township 9 North, Range 7  
 6                     East of the 6th P.M., Lancaster County, Nebraska;

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

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

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

14           That the application of John and Pam Rallis and Debra Placek, hereinafter  
 15 referred to as "Permittee", to develop The Reserve Community Unit Plan, on the property  
 16 legally described above, be and the same is hereby granted under the provisions of  
 17 Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that  
 18 construction and operation of said community unit plan be in strict compliance with said  
 19 application, the site plan, and the following additional express terms, conditions, and  
 20 requirements:

- 1           1.     This permit approves four single family lots.
- 2           2.     Before receiving building permits:
  - 3           a.     The Permittee must submit a revised and acceptable site plan.
  - 4           b.     The Permittee must submit six prints and a permanent  
5           reproducible final site plan as approved by the City Council.
  - 6           c.     The construction plans must conform to the approved plans.
  - 7           d.     Final plats within the area of this community unit plan must be  
8           approved by the City.
  - 9           e     The required easements as shown on the site plan must be  
10          recorded with the Register of Deeds.
  - 11          f.     The City Council must approve the associated requests as  
12          follows:
    - 13          (i)     The Reserve Preliminary Plat.
    - 14          (ii)    A waiver of the required sidewalk, street lights,  
15          landscape screen, and street trees.
    - 16          (iii)  A modification to the requirements of the Land  
17          Subdivision Ordinance to permit a block length in  
18          excess of 1320' along the north, west and south  
19          perimeter of this subdivision.
  - 20          g.     The County Engineer must approve an agreement for street  
21          maintenance.
- 22          3.     Before occupying this Community Unit Plan all development and  
23          construction must conform to the approved plans.

1           4.     Before occupying this Community Unit Plan, the City/County Health  
2 Department must approve the water and wastewater systems.

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

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

9           7.     The terms, conditions, and requirements of this resolution shall be  
10 binding and obligatory upon the Permittee, their successors, and assigns. The building  
11 official shall report violations to the City Council which may revoke the special permit or  
12 take such other action as may be necessary to gain compliance.

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

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

Approved as to Form & Legality:

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

Approved this ___ day of _____, 2003:  _____ Mayor
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