

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1726B

1 WHEREAS, West Park, L.L.C. has submitted an application designated as
 2 Special Permit No. 1726B for authority to amend West Park Community Unit Plan to add
 3 six dwelling units for a total of 29 dwelling units and an early childhood care facility for 150
 4 children on property generally located at S.W. 15th Court and West A Street, and legally
 5 described to wit:

6 Lots 1-14, Outlot A and Outlot B, West Park Addition, located
 7 in the Southeast Quarter of Section 28, Township 10 North,
 8 Range 6 East, Lincoln, 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 West Park, L.L.C., hereinafter referred to as
 17 "Permittee", to amend West Park Community Unit Plan to add six dwelling units for a total
 18 of 29 dwelling units, on the property legally described above, be and the same is hereby
 19 granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln
 20 Municipal Code upon condition that construction and operation of said community unit plan

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

3 1. This permit approves an increase in the number of total dwelling units
4 from 23 to 29 in the West Park Community Unit Plan.

5 2. Before receiving building permits:

6 a. The Permittee must submit an acceptable, revised and
7 reproducible final plan including five copies.

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

9 c. Final plats within the area of this community unit plan must be
10 approved by the City.

11 d. The operation and the premises of the early childhood care
12 facility must meet appropriate local and state licensing
13 requirements, including compliance with health codes.

14 3. Before occupying the dwelling units, all development and construction
15 must be completed in conformance with the approved plans.

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

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

22 6. The terms, conditions, and requirements of this resolution shall be
23 binding and obligatory upon the Permittee, its successors, and assigns. The building

1 official shall report violations to the City Council which may revoke the special permit or
2 take such other action as may be necessary to gain compliance.

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

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2004: _____ Mayor
