

RESOLUTION NO. A-_____

USE PERMIT NO. 126A

1 WHEREAS, Ridge Development Company, Southview, Inc., and the
 2 Large Partnership, Ltd. have submitted an application in accordance with Section
 3 27.27.080 of the Lincoln Municipal Code designated as Use Permit No. 126A for
 4 authority to amend the Wilderness Woods Office Park to reduce the required setback
 5 on Lot 4 from 40 feet to 30 feet and to increase the height allowed on Lot 4 from 35 feet
 6 to 45 feet, on property generally located southeast of South 14th Street and Yankee Hill
 7 Road, and legally described to wit:

8 A portion of Outlots "D" and "I", Wilderness Ridge Addition,
 9 all located in the Northwest Quarter of Section 25, Township
 10 9 North, Range 6 East of the 6th, City of Lincoln, Lancaster
 11 County, Nebraska, and more particularly described as
 12 follows:

13
 14 Commencing at the northeast corner of said Northwest
 15 Quarter; thence on an assumed bearing of north 89 degrees
 16 39 minutes 00 seconds west along the north line of said
 17 Northwest Quarter, a distance of 793.37 feet to a point;
 18 thence south 00 degrees 21 minutes 00 seconds west, a
 19 distance of 301.71 feet to a northeast corner of said Outlot
 20 "I", said point being the true point of beginning; thence south
 21 39 degrees 11 minutes 18 seconds east along a northeast
 22 line of said Outlot "I", a distance of 89.48 feet to a point;
 23 thence along a curve in a counterclockwise direction having
 24 a radius of 420.00 feet, arc length of 19.48 feet, delta angle
 25 of 02 degrees 39 minutes 27 seconds, a chord bearing of
 26 south 30 degrees 14 minutes 54 seconds east along a
 27 northeast line of said Outlot "I", and a chord length of 19.48
 28 feet to a point; thence south 50 degrees 48 minutes 42
 29 seconds west along a southeast line of said Outlot "I", and
 30 its extension, a distance of 181.97 feet to a point; thence
 31 south 39 degrees 11 minutes 18 seconds east, a distance of
 32 100.00 feet to a point of intersection with a north line of said
 33 Outlot "I"; thence north 50 degrees 48 minutes 42 seconds
 34 east along a northwest line of said Outlot "I", and its

1 extension, a distance of 117.32 feet to a point; thence north
2 45 degrees 32 minutes 27 seconds east along a northwest
3 line of said Outlot "I", and its extension, a distance of 212.81
4 feet to a north corner of said Outlot "I"; thence south 59
5 degrees 23 minutes 50 seconds east along a north line of
6 said Outlot "I", a distance of 199.95 feet to a point; thence
7 along a curve in a counterclockwise direction having a radius
8 of 280.00 feet, arc length of 298.26 feet, delta angle of 61
9 degrees 01 minutes 55 seconds, a chord bearing of south
10 20 degrees 20 minutes 07 seconds west along an east line
11 of said Outlot "I", and a chord length of 284.36 feet to a point
12 of tangency; thence south 10 degrees 10 minutes 50
13 seconds east along an east line of said Outlot "I", a distance
14 of 209.93 feet to a point of curvature; thence along a curve
15 in a counterclockwise direction having a radius of 1030.00
16 feet, arc length of 290.31 feet, delta angle of 16 degrees 08
17 minutes 57 seconds, a chord bearing of south 18 degrees
18 15 minutes 19 seconds east along an east line of said Outlot
19 "I", and a chord length of 289.35 feet to a point of reverse
20 curvature; thence along a curve in a counterclockwise
21 direction having a radius of 95.00 feet, arc length of 28.48
22 feet, delta angle of 17 degrees 10 minutes 40 seconds, a
23 chord bearing of south 17 degrees 44 minutes 27 seconds
24 east along an east line of said Outlot "I", and a chord length
25 of 28.38 feet to an east corner of said Outlot "I"; thence
26 along a curve in a counterclockwise direction having a radius
27 of 725.00 feet, arc length of 764.79 feet, delta angle of 60
28 degrees 26 minutes 25 seconds, a chord bearing of south
29 35 degrees 15 minutes 45 seconds west along a southeast
30 line of said Outlot "I", and a chord length of 729.82 feet to a
31 south corner of said Outlot "I"; thence north 78 degrees 56
32 minutes 21 seconds west along a south line of said Outlot
33 "I", a distance of 232.90 feet to a point of deflection; thence
34 north 56 degrees 38 minutes 53 seconds west along a
35 southwest line of said Outlot "I", a distance of 92.17 feet to a
36 point of deflection; thence north 26 degrees 18 minutes 36
37 seconds west along a west line of said Outlot "I", a distance
38 of 739.84 feet to a point of deflection; thence north 50
39 degrees 48 minutes 42 seconds east along a north line of
40 said Outlot "I", a distance of 717.12 feet to a point; thence
41 north 39 degrees 11 minutes 18 seconds west, a distance of
42 100.00 feet to a point of intersection with a south line of said
43 Outlot "I"; thence south 50 degrees 48 minutes 42 seconds
44 west along a south line of said Outlot "I", a distance of
45 721.11 feet to a point of deflection; thence north 35 degrees
46 58 minutes 15 seconds west along a west line of said Outlot

1 "I", a distance of 620.00 feet to a point of deflection; thence
2 north 13 degrees 45 minutes 22 seconds west along a west
3 line of said Outlot "I", a distance of 160.00 feet to a point of
4 deflection; thence north 35 degrees 03 minutes 00 seconds
5 east along a northwest line of said Outlot "I", a distance of
6 75.79 feet to a point of deflection; thence north 45 degrees
7 51 minutes 00 seconds east along a northwest line of said
8 Outlot "I", a distance of 60.00 feet to a point of deflection;
9 thence north 70 degrees 51 minutes 00 seconds east along
10 a northwest line of said Outlot "I", a distance of 60.00 feet to
11 a north corner of said Outlot "I"; thence south 80 degrees 09
12 minutes 00 seconds east along a north line of said Outlot "I",
13 and its extension, a distance of 224.98 feet to a point of
14 deflection; thence south 82 degrees 54 minutes 00 seconds
15 east along a north line of said Outlot "I", a distance of 299.97
16 feet to a point of deflection; thence south 86 degrees 39
17 minutes 00 seconds east along a north line of said Outlot "I",
18 a distance of 150.00 feet to a point of deflection; thence
19 south 89 degrees 39 minutes 00 seconds east along a north
20 line of said Outlot "I", a distance of 270.00 feet to the true
21 point of beginning, said tract contains a calculated area of
22 30.42 acres, or 1,325,073.47 square feet, more or less;
23

24 WHEREAS, the real property adjacent to the area included within the site
25 plan for this office park to allow a reduction of setback and increase in height will not be
26 adversely affected; and

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

30 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
31 Lincoln, Nebraska:

32 That the application of Ridge Development Company, Southview, Inc.,
33 and the Large Partnership, Ltd., hereinafter referred to as "Permittee", to amend the
34 Wilderness Woods Office Park to reduce the required setback on Lot 4 from 40 feet to
35 30 feet and to increase the height allowed on Lot 4 from 35 feet to 45 feet on the

1 property legally described above be and the same is hereby granted under the
2 provisions of Section 27.27.080 of the Lincoln Municipal Code upon condition that
3 construction and operation of said Wilderness Woods Office Park be in strict
4 compliance with said application, the site plan, and the following additional express
5 terms, conditions, and requirements:

6 1. This permit approves 275,000 square feet of office space with a 30
7 foot setback from the south and west property lines of Lot 4 and further approves the
8 atrium area of the office building on Lot 4 to be constructed to a height of 45 feet, as
9 shown in the elevation amended to the appended site plan.

10 2. Before receiving building permits:

- 11 a. The Permittee must submit a permanent reproducible final
12 site plan as approved.
- 13 b. Final plats within Wilderness Woods Office Park must be
14 approved by the City.
- 15 c. Before occupying this development all development and
16 construction must conform to the approved plans.
- 17 d. All privately-owned improvements, including landscaping,
18 must be permanently maintained by the Permittee, their
19 successors and assigns.

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

23 4. The terms, conditions, and requirements of this resolution shall be
24 binding and obligatory upon the Permittee, their successors and assigns. The building

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

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

Introduced by:

Approved as to Form & Legality:

Chief Assistant City Attorney

Staff Review Completed:

Administrative Assistant