

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1999

1 WHEREAS, Gerald Maddox has submitted an application designated as Special
 2 Permit No. 1999 for authority to develop Wilderness Hills Community Unit Plan consisting of 640
 3 single family, townhouse and multi-family dwelling units, with waivers to the preliminary plat
 4 process, minimum lot area and lot width, building height, and sanitary sewer design standards, on
 5 property located southeast of the intersection of South 27th Street and Yankee Hill Road, and
 6 legally described to wit:

7 A tract of land located in the Northwest and Southwest Quarter of
 8 Section 30, Township 9 North, Range 7 East of the 6th P.M.,
 9 Lancaster County, Nebraska. More particularly described as follows:

10 Referring to the northwest corner of said Northwest Quarter; thence
 11 S00°03'13"E on an assumed bearing along the west line of said
 12 Northwest Quarter, a distance of 1,301.18 feet; thence N89°56'47"E,
 13 a distance of 50.00 feet to a point on the east right-of-way line of
 14 South 27th Street, said point also being the point of beginning;
 15 thence N89°50'48"E, a distance of 263.39 feet to the point of
 16 curvature of a radial curve to the left having a central angle of
 17 15°00'00", a radius of 400.00 feet, an arc length of 104.72 feet, a
 18 chord length of 104.42 feet and a chord bearing of N82°20'48"E;
 19 thence along said curve, a distance of 104.72 feet; thence
 20 N74°50'48"E, a distance of 296.68 feet to the point of curvature of
 21 a radial curve to the right having a central angle of 15°00'00", a
 22 radius of 1,200.00 feet, an arc length of 314.16 feet, a chord length
 23 of 313.26 feet and a chord bearing of N82°20'48"E; thence along
 24 said curve, a distance of 314.16 feet; thence N89°50'47"E, a
 25 distance of 316.69 feet to the point of curvature of a radial curve to
 26 the right having a central angle of 07°57'59", a radius of 2,600.00
 27 feet, an arc length of 361.50 feet, a chord length of 361.21 feet and
 28 a chord bearing of S86°10'13"E; thence along said curve, a distance
 29 of 361.50 feet; thence N17°23'24"E, a distance of 419.88 feet to the
 30 point of curvature of a radial curve to the left having a central angle
 31 of 17°32'36", a radius of 530.00 feet, an arc length of 162.28 feet,
 32 a chord length of 161.65 feet and a chord bearing of N08°37'06"E;
 33 thence along said curve, a distance of 162.28 feet; thence
 34 N00°09'12"W, a distance of 619.81 feet to a point on the south right-
 35 of-way line of Yankee Hill Road; thence N88°45'38"E on said right-

1 of-way line, a distance of 706.31 feet; thence S00°02'28"W, a
2 distance of 161.04 feet; thence S05°44'43"W, a distance of 140.69
3 feet to the point of curvature of a nontangent curve to the right
4 having a central angle of 25°02'01", a radius of 2,033.00 feet, an arc
5 length of 888.25 feet, a chord length of 881.20 feet and a chord
6 bearing of S12°29'26"W; thence along said curve, a distance of
7 888.25 feet; thence S25°00'27"W, a distance of 151.43 feet; thence
8 S69°21'56"E, a distance of 8.74 feet; thence S20°38'04"W, a
9 distance of 87.08 feet; thence N69°21'41"W, a distance of 15.52
10 feet to the point of curvature of a nontangent curve to the left having
11 a central angle of 17°16'22", a radius of 2,558.00 feet, an arc length
12 of 771.16 feet, a chord length of 768.24 feet and a chord bearing of
13 N77°59'36"W; thence along said curve, a distance of 771.16 feet;
14 thence S13°28'51"E, a distance of 221.69 feet; thence S12°35'31"E,
15 a distance of 83.37 feet; thence S02°58'55"E, a distance of 79.47
16 feet; thence S00°07'52"E, a distance of 558.72 feet; thence
17 S89°56'50"W, a distance of 120.00 feet; thence S00°07'52"E, a
18 distance of 15.60 feet; thence S89°52'08"W, a distance of 360.00
19 feet; thence N00°07'52"W, a distance of 5.02 feet; thence
20 S89°52'08"W, a distance of 120.00 feet; thence S00°07'52"E, a
21 distance of 500.68 feet to the point of curvature of a nontangent
22 curve to the left having a central angle of 01°47'32" a radius of
23 1,898.24 feet, an arc length of 59.38 feet, a chord length of 59.37
24 feet and a chord bearing of S83°46'12"W; thence along said curve,
25 a distance of 59.38 feet; thence S82°52'26"W, a distance of 566.38
26 feet to the point of curvature of a radial curve to the right having a
27 central angle of 07°10'02", a radius of 1,542.00 feet, an arc length
28 of 192.89 feet, a chord length of 192.77 feet and a chord bearing of
29 S86°27'27"W; thence along said curve, a distance of 192.89 feet;
30 thence N89°57'32"W, a distance of 116.47 feet to a point on the
31 east right-of-way line of South 27th Street; thence along said right-
32 of-way line for the next five courses; N00°00'55"W, a distance of
33 99.32 feet; thence N00°03'13"W, a distance of 665.12 feet; thence
34 N89°28'16"E, a distance of 9.44 feet; thence N00°36'10"E, a
35 distance of 660.11 feet; thence N00°03'13"W, a distance of 23.11
36 feet to the point of beginning; containing 2,803,164.00 square feet
37 or 64.3518 acres, more or less;

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

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

1 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln,
2 Nebraska:

3 That the application of Gerald Maddox, hereinafter referred to as "Permittee", to
4 develop Wilderness Hills Community Unit Plan consisting of 640 single family, townhouse and
5 multi-family dwelling units, on the property legally described above, be and the same is hereby
6 granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal
7 Code upon condition that construction and operation of said community unit plan be in strict
8 compliance with said application, the site plan, and the following additional express terms,
9 conditions, and requirements:

10 1. This permit approves:

11 a. 640 single family, townhouse, and multiple-family dwelling units and
12 the following variances to the Land Subdivision Ordinance and
13 Design Standards:

14 i. The required minimum lot area and lot width is amended to
15 allow 4,000 square foot lots 40' in width for single-family and
16 25' in width for two-family, and to allow 1,800 square foot lots
17 18' in width for townhomes.

18 ii. The building height requirement is amended to allow 50'
19 building height in the R-3 and R-5 zoning district.

20 iii. The requirements of the sanitary sewer design standards are
21 amended to allow sewer to flow opposite street grades.

22 b. A waiver of the requirement that the Permittee submit a preliminary
23 plat is waived, except that this waiver of the preliminary plat shall
24 only be effective for a period of ten years from the date of the this

1 approval, and shall be of no force or effect thereafter. If any final
2 plat on all or a portion of the approved community unit plan is
3 submitted five years or more after the effective date of the
4 community unit plan, the City may require that a new community unit
5 plan be submitted, pursuant to all the provisions of Section
6 26.31.015. A new community unit plan may be required if the
7 subdivision ordinance, the design standards, or the required
8 improvements have been amended by the city; and as a result, the
9 community unit plan as originally approved does not comply with the
10 amended rules and regulations.

11 2. Before receiving building permits:

- 12 a. The Permittee must submit an acceptable, revised and reproducible
13 final plan including five copies.
- 14 b. The construction plans must conform to the approved plans.
- 15 c. Final plats within this community unit plan must be approved by the
16 City.

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

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

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

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

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2004:

Mayor