

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

USE PERMIT NO. 126B

1 WHEREAS, Wilderness Ridge, L.L.C. has submitted an application in  
 2 accordance with Section 27.27.080 of the Lincoln Municipal Code designated as Use  
 3 Permit No. 126B for authority to amend the Wilderness Woods Office Park to revise the  
 4 boundaries by removing the area of the parking lot from the use permit, together with a  
 5 request to reduce the rear yard setback, on property generally located southwest of  
 6 South 27th Street and Yankee Hill Road, and legally described to wit:

7 Lots 1 through 15, and Outlot A, Wilderness Woods Office  
 8 Park Addition, located in the Northwest Quarter of Section  
 9 25, Township 9 North, Range 6 East of the 6th P.M., City of  
 10 Lincoln, Lancaster County, Nebraska, except for that portion  
 11 of said Outlot A more particularly described as follows:

12  
 13 Beginning at a southeast corner of said Outlot A, said point  
 14 also being the northeast corner of Lot 1, Wilderness Woods  
 15 Office Park Addition; thence westerly, along the north line of  
 16 said Lot 1, on an assumed bearing of north 64 degrees 40  
 17 minutes 15 seconds west, a distance of 190.75 feet; thence  
 18 north 32 degrees 36 minutes 24 seconds east, a distance of  
 19 23.57 feet; thence around a curve in a counter clockwise  
 20 direction, having a radius of 264.00 feet, a delta angle of 32  
 21 degrees 36 minutes 24 seconds, an arc length of 150.24  
 22 feet, a chord bearing of north 16 degrees 18 minutes 12  
 23 seconds east and a chord length of 148.22 feet; thence  
 24 north 00 degrees 00 minutes 00 seconds east, a distance of  
 25 41.94 feet; thence south 64 degrees 15 minutes 00 seconds  
 26 east, a distance of 267.71 feet to the easterly line of said  
 27 Outlot A; thence around a curve in a counter clockwise  
 28 direction, along said easterly line, said line also being the  
 29 westerly line of Lot 1, Wilderness Ridge 1st Addition, having  
 30 a radius of 725.00 feet, a delta angle of 16 degrees 36  
 31 minutes 03 seconds, an arc length of 210.06 feet, a chord  
 32 bearing of south 35 degrees 59 minutes 48 seconds west  
 33 and a chord length of 209.33 feet to the point of beginning;  
 34 said tracts contain a calculated area of 1,281,437.56 square  
 35 feet or 29.42 acres, more or less;  
 36

1           WHEREAS, the real property adjacent to the area included within the site  
2 plan for this office park to remove the area of the parking lot from the use permit and  
3 reduction of setback will not be adversely affected; and

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

7           NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
8 Lincoln, Nebraska:

9           That the application of Wilderness Ridge, L.L.C., hereinafter referred to as  
10 "Permittee", to amend the Wilderness Woods Office Park to revise the boundaries by  
11 removing the area of the parking lot from the use permit, and the requested waiver to  
12 reduce the rear yard setback on the property legally described above be and the same  
13 is hereby granted under the provisions of Section 27.27.080 of the Lincoln Municipal  
14 Code upon condition that construction and operation of said Wilderness Woods Office  
15 Park be in strict compliance with said application, the site plan, and the following  
16 additional express terms, conditions, and requirements:

- 17           1.     This permit approves a waiver of the rear setback from 40' to 15'  
18 for Wilderness Woods Office Park.
- 19           2.     Before receiving building permits:
  - 20           a.     The Permittee must submit five copies of the final site plan  
21                   that are acceptable.
  - 22           b.     The construction plans must conform to the approved plans.
- 23           3.     Before occupying this development all development and  
24 construction must conform to the approved plans.

1           4.     All privately-owned improvements, including landscaping, must be  
2 permanently maintained by the Permittee, their successors and assigns.

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

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

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

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

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
Chief Assistant City Attorney

Approved this \_\_\_ day of \_\_\_\_\_, 2004:

\_\_\_\_\_  
Mayor