

RESOLUTION NO. A-_____

USE PERMIT NO. 154A

1 WHEREAS, Lincoln Federal Bancorp, Inc. has submitted an application in
2 accordance with Section 27.27.080 of the Lincoln Municipal Code designated as Use
3 Permit No. 154A to amend Wilderness Hills Commercial Center to adjust the front yard
4 setback from 50 feet to zero feet along all private roadways, and to adjust the front yard
5 setback for parking areas from 15 feet to 10 feet where adjacent to 70 foot wide right-of-
6 way from the centerline along Yankee Hill Road and from 20 feet to 15 feet where
7 adjacent to 65 foot wide right-of-way from the centerline along Yankee Hill Road on
8 property generally located southeast of the intersection of South 27th Street and
9 Yankee Hill Road, and legally described to wit:

10 Lot 48, I.T. located in the Northwest Quarter of Section 30,
11 Township 9 North, Range 7 East of the 6th P.M., Lancaster
12 County, Nebraska, and more particularly described as
13 follows:

14 Beginning at the northeast corner of said Lot 48 I.T., also
15 being on the south right-of-way line of Yankee Hill Road;
16 thence south 00 degrees 09 minutes 12 seconds east,
17 619.62 feet; thence southerly on a 530.00 foot radius curve
18 to the right, an arc length of 162.28 feet (long chord bears
19 south 08 degrees 37 minutes 06 seconds west, 161.65 feet);
20 thence south 17 degrees 23 minutes 24 seconds west,
21 377.26 feet to the north right-of-way line of Wilderness Hills
22 Boulevard; thence on said north right-of-way line for the next
23 10 courses, westerly on a 2,642.00 foot radius curve to the
24 left, an arc length of 295.82 feet (long chord bears north 85
25 degrees 14 minutes 44 seconds west, 295.66 feet); thence
26 westerly on a 90.00 foot radius curve to the left, an arc
27 length of 196.66 feet (long chord bears north 89 degrees 44
28 minutes 11 seconds west, 159.81 feet); thence south 89
29 degrees 50 minutes 48 seconds west, 235.49 feet; thence

1 westerly on a 1,242.00 foot radius curve to the left, an arc
2 length of 325.15 feet (long chord bears south 82 degrees 20
3 minutes 48 seconds west, 324.23 feet); thence south 74
4 degrees 50 minutes 48 seconds west, 242.95 feet; thence
5 north 66 degrees 19 minutes 13 seconds west, 31.90 feet;
6 thence south 75 degrees 58 minutes 06 seconds west, 56.14
7 feet; thence south 22 degrees 25 minutes 24 seconds west,
8 23.56 feet; thence westerly on a 358.00 foot radius curve to
9 the right, an arc length of 52.03 feet (long chord bears south
10 85 degrees 41 minutes 00 seconds west, 51.98 feet); thence
11 south 89 degrees 50 minutes 48 seconds west, 263.48 feet
12 to the east right-of-way line of South 27th Street; thence on
13 said east right-of-way line for the next two courses, north 00
14 degrees 02 minutes 46 seconds west, 1,165.23 feet; thence
15 north 44 degrees 22 minutes 06 seconds east, 64.26 feet to
16 the south right-of-way line of Yankee Hill Road; thence on
17 said south right-of-way line for the next five courses, north
18 88 degrees 46 minutes 00 seconds east, 636.72 feet; thence
19 south 00 degrees 03 minutes 59 seconds east, 10.00 feet;
20 thence north 88 degrees 46 minutes 00 seconds east,
21 676.59 feet; thence north 00 degrees 04 minutes 18 seconds
22 west, 10.00 feet; thence north 88 degrees 46 minutes 00
23 seconds east, 432.16 feet to the point of beginning,
24 containing 1,998,213.10 square feet (45.87 acres) more or
25 less;

26 WHEREAS, the real property adjacent to the area included within the site
27 plan for this use permit will not be adversely affected; and

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

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

33 That the application of Lincoln Federal Bancorp, Inc., hereinafter referred
34 to as "Permittee", to amend Wilderness Hills Commercial Center to adjust the front yard
35 setback from 50 feet to zero feet along all private roadways, and to adjust the front yard

1 setback for parking areas from 15 feet to 10 feet where adjacent to 70 foot wide right-of-
2 way from the centerline along Yankee Hill Road and from 20 feet to 15 feet where
3 adjacent to 65 foot wide right-of-way from the centerline along Yankee Hill Road on the
4 property legally described above be and the same is hereby granted under the
5 provisions of Section 27.27.080 of the Lincoln Municipal Code upon condition that
6 construction and operation of said office and commercial space be in strict compliance
7 with said application, the site plan, and the following additional express terms,
8 conditions, and requirements:

9 1. This approval adjusts the front yard setback from 50' to 0' along all the
10 private roadways, and the front yard setback from 15' to 10' where adjacent to 70' wide
11 right-of-way and from 20' to 15' where adjacent to 65' wide right-of-way along Yankee
12 Hill Road.

13 2. Before receiving building permits:

- 14 a. The Permittee must submit a revised final plan including 5 copies
15 and the plans are acceptable.
- 16 b. The construction plans shall comply with the approved plans.
- 17 c. Final Plats shall be approved by the City.

18 3. Before occupying the office/commercial floor area all development and
19 construction shall have been completed in compliance with the approved plans,
20 including design criteria.

21 4. All privately-owned improvements shall be permanently maintained by the
22 owner or an appropriately established owners association approved by the City
23 Attorney.

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

4 6. This resolution's terms, conditions, and requirements bind and obligate the
5 Permittee, its successors and assigns.

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

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

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2005: _____ Mayor
