

RESOLUTION NO. A-_____

Special Permit No. 459A

1 WHEREAS, Olderbak Georgetown/Willows, LLC has submitted an application
 2 designated as Special Permit No. 459A for authority to expand the existing Georgetown Apartments
 3 Community Unit Plan approved by Special Permit No. 459 to increase the number of apartment
 4 dwelling units from 115 to 160, and a requested waiver to adjust the parking requirements on
 5 property generally located at S. 70th Street and Van Dorn Street and legally described as:

6 A tract of land being out of and a part of Lots 6 and 7, Strain's Acres
 7 and vacated Drury Lane abutting said lots, all located in the
 8 Southwest Quarter of Section 34, Township 10 North, Range 7 East
 9 of the Sixth Principal Meridian, Lincoln, Lancaster County, Nebraska,
 10 more particularly described as follows:

11 Beginning at a 5/8" Rebar found at the intersection of the north right-
 12 of-way of Van Dorn Street and the east line of said Lot 7, being the
 13 southeast corner of the tract herein described as follows: Beginning
 14 at a 5/8" Rebar found at the intersection of the north right-of-way of
 15 Van Dorn street and the east line of said Lot 7, being the southeast
 16 corner of the tract herein described; thence north 00 degrees 15
 17 minutes 00 seconds east, a distance of 630.70 feet; thence south 69
 18 degrees 26 minutes 04 seconds west, a distance of 94.31 feet;
 19 thence south 89 degrees 47 minutes 59 seconds west, a distance of
 20 522.64 feet, to the east right-of-way of 70th Street; thence south 00
 21 degrees 46 minutes 27 seconds east, a distance of 273.90 feet;
 22 thence south 89 degrees 47 minutes 00 seconds west, a distance of
 23 8.67 feet; thence south 00 degrees 00 minutes 00 seconds west, a
 24 distance of 14.17 feet; thence north 89 degrees 47 minutes 00
 25 seconds east, a distance of 175.25 feet; thence south 00 degrees 00
 26 minutes 00 seconds west, a distance of 310.00 feet; thence north 89
 27 degrees 47 minutes 00 seconds east, a distance of 440.87 feet to
 28 the point of beginning and containing 7.200 acres, more or less;

29 WHEREAS, the Lincoln City-Lancaster County Planning Commission has held a
 30 public hearing on said application; and

1 WHEREAS, the community as a whole, the surrounding neighborhood, and the real
2 property adjacent to the area included within the site plan for this expansion of the Community Unit
3 Plan area will not be adversely affected by granting such a permit; and

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

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

9 That the application of Olderbak Georgetown/Willows, LLC, hereinafter referred to
10 as "Permittee", to expand the existing Georgetown Apartments Community Unit Plan approved by
11 Special Permit No. 459 to increase the number of apartment dwelling units from 115 to 160, and
12 a requested waiver to adjust the parking requirements, be and the same are hereby granted under
13 the provisions of Chapter 27.65, Section 27.63.320 and Section 27.67.065 of the Lincoln Municipal
14 Code upon condition that development of the apartment dwelling units be in substantial compliance
15 with said application, the site plan, and the following additional express terms, conditions, and
16 requirements:

17 1. This approval permits a revised site plan showing 151 dwelling units with nine
18 unallocated units for a maximum of 160 units and a waiver to adjust the required parking from 302
19 to 288 stalls.

20 2. Before receiving building permits:

21 a. The Permittee will reconcile the legal description of the boundary of
22 the CUP with City/County staff as necessary.

23 b. The Permittee shall submit a revised site plan including five copies
24 showing the following revisions:

25 i. A revised legal description if necessary.

1 7. The terms, conditions, and requirements of this resolution shall run with the
2 land and be binding on the Permittee, its successors and assigns.

3 8. The Permittee shall sign and return the letter of acceptance to the City Clerk
4 within 60 days following the approval of the special permit, provided, however, said 60-day period
5 may be extended up to six months by administrative amendment. The City Clerk shall file a copy
6 of the resolution approving the special permit and the letter of acceptance with the Register of
7 Deeds, filing fees to be paid in advance by the applicant.

8 9. The site plan as approved with this resolution voids and supersedes all
9 previously approved site plans, however the terms and conditions of all resolutions approving
10 previous permits remain in force and effect except as specifically amended by this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2011: _____ Mayor
