



RESOLUTION NO. PC- 01348

SPECIAL PERMIT NO. 1995A

1 WHEREAS, JLI West Inc. has submitted an application designated as Special  
2 Permit No. 1995A for authority to amend the Hub Hall Heights Community Unit Plan to  
3 change 4 single family lots into 8 townhouse lots and to change 2 single family lots into  
4 4 single family attached lots together with requested waivers of the required lot area, lot  
5 width and front yard setback on property generally located at NW 48th Street and  
6 Holdrege Street and legally described as:

7 Lots 1-8, Block1, Lots 1-12, Block 2, Lots 1-22, Block 3, Lots  
8 1-16, Block 4, and Outlot "A", Hub Hall Heights; a portion of  
9 Lots 1 and 14, Block 1, Lots 2-13, Block 1, Lots 1-6, Block 2,  
10 Lots 1-7, Block 3, Lot 1, Block 5, Lots 1-47, Block 6, Lots 1-  
11 9, Block 7, Lots 1-3, Block 8, Lots 1-9 and 12-24, Block 9,  
12 Lots 1-7, Block 10, Lots 1-7, Block 11, Lots 1-6, Block 12,  
13 Outlots "A" and "B", and a portion of the remaining portion of  
14 Outlot "C", Hub Hall Heights 1st Addition; Lot 1, Block 1,  
15 Lots 1-6, Block 2, Lots 1-6, Block 3, and Outlot "A", Hub Hall  
16 Heights 2nd Addition; Lot 1 and Outlot "A", Hub Hall Heights  
17 3rd Addition; Lots 1 and 2, Hub Hall Heights 4th Addition;  
18 Lot 1, Hub Hall Heights 6th Addition; all located in the  
19 Southeast Quarter of Section 18, Township 10 North, Range  
20 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska,  
21 and more particularly described by metes and bounds in  
22 Attachment "A" hereto;

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

Return to:  
Sandy @ City Clerk

*Aug ESP #4600*

*HU HALL  
HU HALL 1  
HU HALL 2  
HU HALL 3  
HU HALL 4  
HU HALL 6*

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

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

8           NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County  
9 Planning Commission of Lincoln, Nebraska:

10           That the application of JLI West Inc., hereinafter referred to as "Permittee", to  
11 change 4 single family lots to 8 townhouse lots and 2 single family lots to 4 single family  
12 attached lots, on the property described above, be and the same is hereby granted  
13 under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal  
14 Code upon condition that construction of said community unit plan be in substantial  
15 compliance with said application, the site plan, and the following additional express  
16 terms, conditions, and requirements:

17           1. This permit approves an amendment to the existing special permit for Hub  
18 Hall Heights Community Unit Plan to change 2 single family lots into 4 single family  
19 attached lots and to change 4 single family lots into 8 lots for townhouses, and grants  
20 the following waivers to the Zoning Ordinance:

- 21           a. Lot area for Lot 16, Block 8 and Lots 2, and 32-38, Block 11.  
22           b. Lot width for Lots 33, 34, 37 and 38, Block 11.

- 1                   c.    Reduce the front yard setback along W. Holdrege Street for Lots 32-  
2                                   39, Block 11, from 20 feet to 10 feet.
- 3                   2.    Before a final plat is approved:
- 4                   a.    The Permittee shall cause to be prepared and submitted to the  
5                                   Planning Department a revised and reproducible final plot plan  
6                                   including 5 copies showing a revised grading plan to the satisfaction  
7                                   of Public Works & Utilities Department.
- 8                   b.    The Permittee shall provide verification from the Register of Deeds  
9                                   that the letter of acceptance as required by the approval of the  
10                                  special permit has been recorded.
- 11                  3.    Before the issuance of a building permit the construction plans must  
12                                  substantially comply with the approved plans.
- 13                  4.    Before occupying the dwelling units all development and construction  
14                                  shall have been completed in substantial compliance with the approved plans.
- 15                  5.    All privately-owned improvements shall be permanently maintained by the  
16                                  Permittee or an appropriately established homeowners association approved by the  
17                                  City.
- 18                  6.    The physical location of all setbacks and yards, buildings, parking and  
19                                  circulation elements, and similar matters be in substantial compliance with the location  
20                                  of said items as shown on the approved site plan.
- 21                  7.    The terms, conditions, and requirements of this resolution shall run with  
22                                  the land and be binding upon the Permittee, its successors and assigns.
- 23                  8.    The Permittee shall sign and return the letter of acceptance to the City  
24                                  Clerk. This step should be completed within 60 days following the approval of the  
25                                  special permit. The City Clerk shall file a copy of the resolution approving the special

1 permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be  
2 paid in advance by the Permittee. Building permits will not be issued until the letter of  
3 acceptance has been filed.

4 9. The site plan as approved with this resolution voids and supersedes all  
5 previously approved site plans, however the terms and conditions of all prior resolutions  
6 approving this permit shall remain in full force and effect except as specifically  
7 amended by this resolution.

8 The foregoing Resolution was approved by the Lincoln City-Lancaster County  
9 Planning Commission on this 10 day of July, 2013.

ATTEST:

  
Chair

Approved as to Form & Legality:

  
Chief Assistant City Attorney

**COMMUNITY UNIT PLAN  
LEGAL DESCRIPTION:**

Lots 1-8, Block 1, Lots 1-12, Block 2, Lots 1-22, Block 3, Lots 1-16, Block 4, and Outlot 'A', Hub Hall Heights, a portion of Lots 1 and 14, Block 1, Lots 2-13, Block 1, Lots 1-6, Block 2, Lots 1-7, Block 3, Lot 1, Block 5, Lots 1-47, Block 6, Lots 1-9, Block 7, Lots 1-3, Block 8, Lots 1-9 and 12-24, Block 9, Lots 1-7, Block 10, Lots 1-7, Block 11, Lots 1-6, Block 12, Outlots 'A' & 'B', and a portion of the remaining portion of Outlot 'C', Hub Hall Heights 1st Addition; Lot 1, Block 1, Lots 1-6, Block 2, Lots 1-6, Block 3, and Outlot 'A', Hub Hall Heights 2nd Addition; Lot 1 and Outlot 'A', Hub Hall Heights 3rd Addition; Lots 1 & 2, Hub Hall Heights 4th Addition; Lot 1, Hub Hall Heights 6th Addition; all located in the Southeast Quarter of Section 18, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska and wholly described as follows:

Referring to the Southwest corner of the Southeast Quarter of said Section 18, THENCE in a Northerly direction, along the West line of the Southeast Quarter of said Section 18, on an assumed bearing of North 00 degrees 45 minutes 21 seconds West for a distance of 846.58 feet to the Point of Beginning.

THENCE continuing in a Northerly direction, along the West line of the Southeast Quarter of said Section 18, on an assumed bearing of North 00 degrees 45 minutes 21 seconds West for a distance of 1502.37 feet;

THENCE North 88 degrees 49 minutes 52 seconds East, for a distance of 2639.59 feet

THENCE South 00 degrees 50 minutes 46 seconds East, along the East line of the Southeast Quarter of said Section 18, for a distance of 2347.52 feet to the Southeast corner of the Southeast Quarter of said Section 18

THENCE South 88 degrees 48 minutes 02 seconds West, along the South line of the Southeast Quarter of said Section 18, for a distance of 1628.85 feet

THENCE North 01 degrees 11 minutes 58 seconds West, for a distance of 366.31 feet

THENCE South 88 degrees 48 minutes 02 seconds West, for a distance of 60.00 feet

THENCE on a circular curve to the right having a radius of 630.00 feet, a central angle of 01 degrees 54 minutes 05 seconds and whose chord

(20.91 feet) bears North 00 degrees 14 minutes 55 seconds West;

THENCE on the arc of said circular curve 20.91 feet;

THENCE North 89 degrees 17 minutes 53 seconds West, for a distance of 120.00 feet

THENCE North 73 degrees 00 minutes 50 seconds West, for a distance of 76.38 feet

THENCE North 64 degrees 18 minutes 00 seconds West, for a distance of 73.59 feet

THENCE North 61 degrees 12 minutes 11 seconds West, for a distance of 241.00 feet

THENCE North 28 degrees 47 minutes 49 seconds East, for a distance of 110.00 feet

THENCE North 61 degrees 12 minutes 11 seconds West, for a distance of 50.00 feet

THENCE South 28 degrees 47 minutes 49 seconds West, for a distance of 110.00 feet

THENCE North 61 degrees 12 minutes 11 seconds West, for a distance of 247.65 feet

THENCE North 50 degrees 02 minutes 26 seconds West, for a distance of 86.46 feet

THENCE North 35 degrees 50 minutes 24 seconds West, for a distance of 86.53 feet

THENCE South 89 degrees 14 minutes 39 seconds West, for a distance of 109.34 feet to the Point of Beginning

Together with and subject to covenants, easements, and restrictions of record  
Said property contains 5,615.329.02 square feet or 128.91 acres

SPECIAL PERMIT 1995A  
HUB HALL HEIGHTS CUP

LETTER OF ACCEPTANCE

City of Lincoln  
Lincoln, Nebraska

RE: **Special Permit No. 1995A**  
(Hub Hall Heights Community Unit Plan, N.W. 48<sup>th</sup> Street and Holdrege Street)

TO THE CITY CLERK:

The undersigned, "Permittee" under **Special Permit No. 1995A** granted by **Resolution No. PC-01348**, adopted by the Lincoln City-Lancaster County Planning Commission on July 10, 2013, hereby files this Letter of Acceptance and certifies to the City of Lincoln that the Permittee is fully aware of and understands all the conditions of said Resolution and that Permittee consents to and agrees to comply with the same.

Permittee further certifies that the person whose signature appears below has the authority to bind Permittee to the terms and conditions of this Letter of Acceptance, including Permittee's financial obligations under said Special Permit.

DATED the 29<sup>th</sup> day of July, 2013.

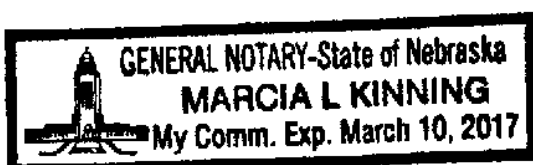
JLI WEST, INC., Permittee

By  
Title:

Jack L. Lewis  
President

STATE OF Nebraska )  
COUNTY OF Lancaster ) ss.

The foregoing Instrument was acknowledged before me this 29<sup>th</sup> day of July, 2013, by Jack L. Lewis, the President of JLI West, Inc., as permittee.



Marcia L. Kinning  
Notary Public

# CERTIFICATE

STATE OF NEBRASKA            )  
COUNTY OF LANCASTER        ) ss.  
CITY OF LINCOLN                )

I, Sandy L. Dubas, Deputy City Clerk of the City of Lincoln, Nebraska, do hereby certify that the above and foregoing is a true and correct copy of **Special Permit No. 1995A** as adopted and approved by **Resolution No. PC-01348** of the Lincoln City-Lancaster County Planning Commission at its meeting held **July 10, 2013** as the original appears of record in my office, and is now in my charge remaining as Deputy City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 15th day of July, 2013.

*Sandy L. Dubas*  
Deputy City Clerk

