



15R-24

Introduce: 1-26-15

RESOLUTION NO A- 88761

SPECIAL PERMIT NO. 1999B

1 WHEREAS, S&B Lincoln Apartments 1, LLC has submitted an application
2 designated as Special Permit No. 1999B to amend the Wilderness Hills Community Unit
3 Plan to increase the height of the apartment complex sign from 6 feet to 7.5 feet at
4 property generally located at S 33rd Street and Wilderness Hills Boulevard and legally
5 described as:

*Wilderness
Wilderness
Wilderness 1-
Wilderness 3*

City Clerk 8/4/15

6 Lot 1, Wilderness Place 1st Addition; Lots 1-20, Block 1, and
7 Lots 1-14, Block 2, and Lots 1-8, Block 3, and Lots 1-22,
8 Block 4, and Lots 1-22, Block 5, and Lots 1-2, Block 6, and
9 Lots 1-13, Block 7, Wilderness Hills Addition; and Lots 3-10,
10 Block 1, and Lots 20-28, Block 1, and Lots 40-43, Block 1,
11 and Lots 16-23, Block 2, and Outlot A, and Outlot E,
12 Wilderness Hills Keystone Addition; and Lots 1-2, and Outlot
13 A, Wilderness Hills Keystone 1st Addition; and Lots 1-2,
14 Wilderness Hills Keystone 2nd Addition; and Lots 1-16,
15 Block 1, and Lots 1-12, Block 2, and Outlot A, Wilderness
16 Hills Keystone 3rd Addition; located in the Northwest and
17 Southwest Quarters of Section 30, Township 9 North, Range
18 7 East of the 6th P.M., Lancaster County, Nebraska and
19 being more particularly described as follows:

20 Referring to the north quarter corner of said Section 30;
21 thence on the north line of said Section 30, south 88 degrees
22 46 minutes 30 seconds west a distance of 101.03 feet,
23 thence south 01 degrees 14 minutes 220 seconds east a
24 distance of 87 56 feet; thence south 00 degrees 09 minutes

1 57 seconds east a distance of 124.46 feet; thence south 08
2 degrees 06 minutes 35 seconds west a distance of 135.82
3 feet; thence on a curve to the right having a radius of
4 2030.00 feet and an arc length of 891.45 feet being
5 subtended by a chord of south 03 degrees 21 minutes 26
6 seconds west a distance of 248.71 feet to the point of
7 beginning; thence on a curve to the right having a radius of
8 2030.00 feet and an arc length of 642.62 feet being
9 subtended by a chord of south 15 degrees 56 minutes 19
10 seconds west a distance of 639.94 feet; thence south 25
11 degrees 00 minutes 27 seconds west a distance of 151.66
12 feet; thence south 69 degrees 21 minutes 56 seconds east a
13 distance of 11.75 feet; thence south 20 degrees 38 minutes
14 04 seconds west a distance of 87.05 feet; thence north 68
15 degrees 48 minutes 48 seconds west a distance of 5.00 feet,
16 thence north 69 degrees 21 minutes 56 seconds west a
17 distance of 10.70 feet; thence on a curve to the left having a
18 radius of 2558.00 feet and an arc length of 771.00 feet,
19 being subtended by a chord of north 78 degrees 00 minutes
20 00 seconds west a distance of 768.08 feet; thence south 13
21 degrees 28 minutes 51 seconds east a distance of 221.71
22 feet; thence south 12 degrees 35 minutes 31 seconds east a
23 distance of 83.37 feet; thence south 02 degrees 58 minutes
24 55 seconds east a distance of 79.47 feet; thence south 00
25 degrees 07 minutes 52 seconds east a distance of 558.72
26 feet; thence south 89 degrees 56 minutes 50 seconds west a
27 distance of 120.00 feet; thence south 00 degrees 07 minutes
28 52 seconds east a distance of 15.60 feet, thence south 89
29 degrees 52 minutes 08 seconds west a distance of 360.00
30 feet; thence north 00 degrees 07 minutes 52 seconds west a
31 distance of 5.02 feet; thence south 89 degrees 52 minutes
32 08 seconds west a distance of 120.00 feet; thence south 00
33 degrees 07 minutes 52 seconds east a distance of 500.68
34 feet; thence along a curve to the left having a radius of
35 1898.24 feet and an arc length of 59.38 feet being
36 subtended by a chord of south 83 degrees 46 minutes 12
37 seconds west a distance of 59.37 feet; thence south 82
38 degrees 52 minutes 36 seconds west a distance of 566.38
39 feet; thence along a curve to the right having a radius of
40 1542.00 feet and an arc length of 192.89 feet being
41 subtended by a chord of south 86 degree 27 minutes 27
42 seconds west a distance of 192.77 feet, thence north 89
43 degrees 57 minutes 32 seconds west a distance of 99.41
44 feet; thence north 00 degrees 03 minutes 13 seconds west a

1 distance of 1447.72 feet; thence north 89 degrees 50
2 minutes 48 seconds east a distance of 263.39 feet; thence
3 along a curve to the left having a radius of 400.00 feet and
4 an arc length of 104.72 feet being subtended by a chord of
5 north 82 degrees 20 minutes 48 seconds east a distance of
6 104.42 feet; thence north 74 degrees 50 minutes 48 seconds
7 east a distance of 296.69 feet; thence on a curve to the left
8 having a radius of 1286.72 feet and an arc length of 325.25
9 feet being subtended by a chord of north 82 degrees 36
10 minutes 18 seconds east a distance of 324.38 feet; thence
11 north 89 degrees 50 minutes 47 seconds east a distance of
12 305.69 feet; thence on a curve to the right having a radius of
13 2600.00 feet and an arc length of 361.29 feet being
14 subtended by a chord of south 86 degrees 10 minutes 21
15 seconds east a distance of 361.00 feet; thence north 17
16 degrees 23 minutes 24 seconds east a distance of 419.85
17 feet; thence on a curve to the left having a radius of 530.00
18 feet and an arc length of 162.28 feet being subtended by a
19 chord of north 08 degrees 37 minutes 06 seconds east a
20 distance of 161.65 feet; thence north 00 degrees 09 minutes
21 12 seconds west a distance of 160.89 feet; thence south 89
22 degrees 24 minutes 57 seconds east a distance of 76.28
23 feet; thence along a curve to the right having a radius of
24 350.00 feet and an arc length of 38.40 feet being subtended
25 by a chord of south 86 degrees 16 minutes 23 seconds east
26 a distance of 38 38 feet; thence south 83 degrees 07
27 minutes 49 seconds east a distance of 562.61 feet to the
28 point of beginning; containing 2,438,604.71 square feet
29 (55.98 acres) more or less;

30 WHEREAS, the Lincoln City-Lancaster County Planning Commission held a
31 public hearing on January 7, 2015 on said application and conditionally approved said
32 special permit; and

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

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

5 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
6 Lincoln, Nebraska:

7 That the application of the S&B Lincoln Apartments 1, LLC, hereinafter referred
8 to as "Permittee", to amend the Wilderness Hills Community Unit Plan to increase the
9 height of the apartment complex sign from 6 feet to 7.5 feet, on the property described
10 above, be and the same is hereby granted under the provisions of Section 27.63.320
11 and Chapter 27.65 of the Lincoln Municipal Code upon condition that construction of
12 said community unit plan be in substantial compliance with said application, the site
13 plan, and the following additional express terms, conditions, and requirements:

14 1. This permit approves the increase in the height of the apartment complex
15 sign, located at S. 33rd Street and Wilderness Hills Boulevard, from 6 feet to 7.5 feet
16 and increases the sign area from 32 square feet to 35 square feet.

17 2. Before occupying buildings or starting the operation all development and
18 construction shall substantially comply with the approved plans.

19 3 All privately owned improvements, including landscaping and recreational
20 facilities, shall be permanently maintained by the Permittee or an appropriately
21 established homeowners association approved by the City.

1 4. The physical location of all setbacks and yards, buildings, parking and
2 circulation elements, and similar matters shall be in substantial compliance with the
3 location of said items as shown on the approved site plan.

4 5. The terms, conditions, and requirements of this resolution shall run with
5 the land and be binding upon the Permittee, its successors, and assigns.

6 6. The Permittee shall sign and return the letter of acceptance to the City
7 Clerk. This step should be completed within 60 days following the approval of the
8 special permit. The City Clerk shall file a copy of the resolution approving the special
9 permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be
10 paid in advance by the Permittee. Building permits will not be issued until the letter of
11 acceptance has been filed.

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

Introduced by:

Jonathan Cook

AYES: Camp, Christensen, Cook,
Emery, Eskridge, Fellers, Gaylor
Baird; NAYS: None.

Approved as to Form & Legality:

Jeffrey R. W. [Signature]
City Attorney

Approved this 5th day of Feb., 2015.
[Signature]
Mayor

ADOPTED

FEB 02 2015

BY CITY COUNCIL -5-

LETTER OF ACCEPTANCE

City of Lincoln
Lincoln, Nebraska

RE: Special Permit No. 1999B

To The City Clerk:

The undersigned, "Permittee" under **Special Permit No. 1999B** granted by **Resolution A-88761**, adopted by the City Council of the City of Lincoln, Nebraska, on **February 2, 2015**, 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.

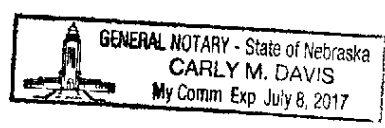
Dated this 9th day of March, 2015

S&B LINCOLN APARTMENTS 1 LLC, PERMITTEE

Ward Hoppe
Signature
attorney
Title

STATE OF Nebraska)
) ss.
COUNTY OF Lancaster)

The foregoing instrument was acknowledged before me this 9 day of march, 2015, by Ward F Hoppe, on behalf of S&B Lincoln Apartments 1, LLC.



Carly Davis
Notary Public

C E R T I F I C A T E

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. 1999B** approved by **Resolution No. A-88761**, adopted by the City Council on **February 2, 2015**, 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 27th day of February, 2015

Sandy L. Dubas
Deputy City Clerk

