

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1753B

1 WHEREAS, Krueger Development Inc. has submitted an application
 2 designated as Special Permit No. 1753B for authority to develop Vavrina Meadows 1st
 3 Addition Community Unit Plan on property located at South 14th Street and Yankee Hill
 4 Road, and legally described to wit:

5 Lots 2-23, Block 1; Lots 2-8 and 10-18, Block 2; Lots 1-7 and
 6 11-15, Block 3; Lots 2-6, Block 4; Lots 1-4, Block 5; Lots 1 and
 7 2, Block 6; Lots 1 and 2, Block 7; Lots 1-11, Block 8; Lot 1,
 8 Block 9; Lot 1, Block 10; Lots 1-18, Block 11; Lots 1-8, Block
 9 12; and Outlots B, C, and D, Vavrina Meadows Addition; Lots
 10 1 and 2, Vavrina Meadows 1st Addition; Lots 1-3, Vavrina
 11 Meadows 3rd Addition; Lots 1-9, Block 1; Lots 1-18, Block 2;
 12 Lots 1-18, Block 3; Lots 1-16, Block 4; Lots 1-8, Block 5; Lots
 13 1-14, Block 6; and Outlot A, Vavrina Meadows 3rd Addition;
 14 Lots 1 and 2, Vavrina Meadows 4th Addition; Lots 1 and 2,
 15 Block 1; and Lots 1 and 2, Block 2, Vavrina Meadows 5th
 16 Addition; Lots 1-3, Block 1; Lots 1 and 8, Block 2; a portion of
 17 Lots 1-12 Block 3; and a portion of Outlot A; and all of Outlots
 18 B and C, Vavrina Meadows 6th Addition; a portion of Irregular
 19 Tract Lots 14, 18, 20-25, 67, 68, and 75, and the remaining
 20 portion of Irregular Tract Lot 74, all located in the West Half of
 21 Section 24, Township 9 North, Range 6 East of the 6th P.M.,
 22 Lancaster County, Nebraska, more particularly described as
 23 follows:

24 Commencing at the west corner of Section 24, Township 9
 25 North, Range 6 East of the 6th P.M., Lancaster County,
 26 Nebraska and extending north 01 degrees 56 minutes 43
 27 seconds west, 358.04 feet; thence north 88 degrees 03
 28 minutes 17 seconds east, 50.00 feet to the point of beginning;
 29 thence north 01 degrees 56 minutes 44 seconds west, 154.49
 30 feet; thence north 02 degrees 08 minutes 34 seconds east,
 31 140.28 feet; thence north 01 degrees 56 minutes 41 seconds
 32 west, 80.00 feet; thence north 06 degrees 01 minutes 42
 33 seconds west, 140.45 feet; thence north 01 degrees 56

1 minutes 42 seconds west, 256.82 feet; thence north 88
2 degrees 03 minutes 18 seconds east, 10.00 feet; thence north
3 01 degrees 56 minutes 42 seconds west, 130.00 feet; thence
4 north 06 degrees 11 minutes 06 seconds east, 70.71 feet;
5 thence north 88 degrees 33 minutes 17 seconds east, 2563.00
6 feet; thence south 01 degrees 59 minutes 29 seconds east,
7 2627.48 feet; thence south 88 degrees 29 minutes 47 seconds
8 west, 171.11 feet; thence north 01 degrees 30 minutes 10
9 seconds west, 41.40 feet; thence south 88 degrees 29 minutes
10 47 seconds west, 115.00 feet; thence north 01 degrees 30
11 minutes 09 seconds west, 611.99 feet; thence south 88
12 degrees 29 minutes 51 seconds west, 320.00 feet; thence
13 south 01 degrees 30 minutes 09 seconds east, 611.99 feet;
14 thence north 88 degrees 29 minutes 48 seconds east, 30.00
15 feet; thence south 01 degrees 30 minutes 09 seconds east,
16 60.00 feet; thence south 88 degrees 29 minutes 47 seconds
17 west, 29.34 feet; thence south 01 degrees 30 minutes 10
18 seconds east, 225.00 feet; thence south 16 degrees 20
19 minutes 16 seconds west, 120.14 feet; thence south 36
20 degrees 05 minutes 35 seconds west, 80.75 feet; thence south
21 01 degrees 40 minutes 13 seconds east, 890.60 feet; thence
22 south 88 degrees 19 minutes 47 seconds west, 454.46 feet;
23 thence north 01 degrees 46 minutes 39 seconds west, 572.27
24 feet to the point of curvature of a curve to the right having a
25 central angle of 2 degrees 45 minutes 03 seconds, a radius of
26 300.00 feet and whose chord bears north 00 degrees 24
27 minutes 07 seconds west (14.40 feet); thence along the arc of
28 said curve 14.40 feet; thence north 66 degrees 29 minutes 59
29 seconds west, 358.27 feet to the point of curvature of a curve
30 to the right having a central angle of 35 degrees 47 minutes 36
31 seconds, a radius of 330.00 feet and whose chord bears north
32 48 degrees 36 minutes 11 seconds west (202.82 feet); thence
33 along the arc of said curve 206.15 feet; thence north 30
34 degrees 42 minutes 23 seconds west, 816.41 feet to the point
35 of curvature of a curve to the right having a central angle of 28
36 degrees 45 minutes 39 seconds, a radius of 431.88 feet and
37 whose chord bears north 16 degrees 19 minutes 33 seconds
38 west (214.53 feet); thence along the arc of said curve 216.79
39 feet; thence north 01 degrees 56 minutes 43 seconds west,
40 857.78 feet; thence north 88 degrees 30 minutes 08 seconds
41 east, 50.00 feet; thence north 01 degrees 56 minutes 42
42 seconds west, 322.85 feet; thence south 88 degrees 03
43 minutes 18 seconds west, 566.47 feet to the point of
44 beginning, containing 152.28 acres;

1 WHEREAS, the real property adjacent to the area included within the site
2 plan for this community unit plan will not be adversely affected; and

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

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

8 That the application of Krueger Development Inc., hereinafter referred to as
9 "Permittee", to develop Vavrina Meadows 1st Addition Community Unit Plan, on the
10 property legally described above, be and the same is hereby granted under the provisions
11 of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that
12 construction and operation of said community unit plan be in strict compliance with said
13 application, the site plan, and the following additional express terms, conditions, and
14 requirements:

- 15 1. This permit approves a total of 992 dwelling units.
- 16 2. This permit approves the following adjustments:
 - 17 a. An adjustment to Section 27.15.080(a) of the Lincoln Municipal
18 code to reduce the front yard setback along South 14th Street
19 for the apartment area from 20 feet to 8 feet to reflect the
20 acquisition of additional right-of-way.
 - 21 b. An adjustment to Section 27.15.080(a) of the Lincoln Municipal
22 Code to increase the building height from 35 feet to 38 feet in
23 height for the apartment area at 19th and Yankee Hill Road.

- 1 c. An adjustment to Title III Chapter 3.35 Section 1.1(B) of the
2 City of Lincoln Design Standards relating to Design Standards
3 for Community Unit Plans to increase the cluster density from
4 15 to 23.6 dwelling units per acre for the apartments at South
5 19th Street and Yankee Hill Road.
- 6 d. An adjustment to Section 27.15.080(a) of the Lincoln Municipal
7 Code to reduce the front yard, side and rear yard setbacks for
8 the dwelling units west of South 16th Street for the main
9 buildings and accessory units for the lots with access from the
10 rear lot line.

11 3. Before receiving building permits the Permittee must submit a
12 permanent reproducible final site plan as approved.

13 4. Before occupying this development all development and construction
14 must conform to the approved plans.

15 5. All privately-owned improvements, including landscaping, must be
16 permanently maintained by the Permittee, its successors and assigns.

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

20 7. The terms, conditions, and requirements of this resolution shall be
21 binding and obligatory upon the Permittee, its successors, and assigns. The building
22 official shall report violations to the City Council which may revoke the special permit or
23 take such other action as may be necessary to gain compliance.

1 8. The Permittee shall sign and return the City's letter of acceptance to
2 the City Clerk within 30 days following approval of the special permit, provided, however,
3 said 30-day period may be extended up to six months by administrative amendment. The
4 City Clerk shall file a copy of the resolution approving the special permit and the letter of
5 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
6 Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ___ day of _____, 2001:

Mayor