

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, AUGUST 26, 2002 AT 1:30 P.M.**

The Meeting was called to order at 1:35 p.m. Present: Council Chairperson Cook; Council Members: Camp, Friendt, McRoy, Seng, Svoboda. Joan Ross, City Clerk; Absent: Werner.

Council Chair asked all present to stand and recite the Pledge of Allegiance and reflect for a moment of silent meditation.

READING OF THE MINUTES

SVOBODA Having been appointed to read the minutes of the City Council proceedings of August 19, 2002, reported having done so, found same correct.

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Werner.

PUBLIC HEARING

APPLICATION OF FAMOUS DAVE'S FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 258.7 FEET BY 149.5 FEET IN THE GOVERNOR'S MANSION YARD LOCATED AT 1425 H STREET ON THE 7TH DAY OF SEPTEMBER, 2002 FROM 2:00 P.M. TO 5:00 P.M. - Chuck LeCorgne, 2750 Pine Lake Rd., came forward to answer any questions.

This matter was taken under advisement.

APPLICATION OF CRAWDAD'S INC. DBA HOLMES GOLF COURSE FOR A SPECIAL DESIGNATED LICENSE TO COVER THE ENTIRE GOLF COURSE AND PARKING LOT AT 3701 S. 70TH STREET ON THE 19TH DAY OF SEPTEMBER, 2002 FROM 8:00 A.M. TO 8:00 P.M. - John Crow, 3600 Holmes Place Rd., came forward to ask that the date be amended to September 26th. He, also, mentioned that many patrons have expressed a desire to have beer available on the golf course at all times. He mentioned that many go to private golf courses that do allow beer on their golf courses. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 74HP - APPLICATION OF CINDY LOOPE FOR A LANDMARK DESIGNATION FOR THE EAST CAMPUS NEIGHBORHOOD LANDMARK DISTRICT GENERALLY LOCATED BETWEEN HOLDREGE STREET ON THE NORTH, IDYLVILD DRIVE ON THE WEST, APPLE STREET ON THE SOUTH AND N. 40TH STREET ON THE EAST - Ed Zimmer, Planning Dept., came forward to show slides of the proposed property & that he agrees with the request for a landmark designation.

Paul Smith, 4300 X Street, of the East Campus Neighborhood came forward in favor of.

Beth Goble, 1303 Idylwild, came forward in favor of. She stated that a postcard survey was taken of the neighbors of which there was a 49% response & 84% of them were in favor of it. Discussion followed.

This matter was taken under advisement.

APPROVING THE CEDARS NORTHBRIDGE REDEVELOPMENT AGREEMENT BETWEEN THE CITY AND CEDARS YOUTH SERVICES, INC. FOR REDEVELOPMENT OF THE PROPERTY LOCATED AT 1535 N. 27TH STREET, WITHIN THE NORTH 27TH STREET REDEVELOPMENT PLAN, AS A COMMUNITY CENTER PROVIDING SERVICES FOR FAMILIES AND YOUTH - Wynn Hjermstad, Urban Development, came forward to state that this will create 30 jobs & possibly up to 50. Financing will be \$3 million of which \$1.5 million comes from grants. The City's direct investment was the purchase of the building at this property, demolished it, and cleaned up the site for a cost of \$600,000 which was financed by Tax Increment Financing. The City will do some sewer work, sidewalk work, & landscaping in the public right-of-way. Discussion followed.

Jim Blue, 620 N. 48th Street, President of Cedars Youth Services, Inc. stated that there will be co-location of this property, Goodwill Job Training & Job Placement, Southeast Community College Second Language, & Health Dept. Outreach Services & Screening. There will be additional space for other partners. Discussion followed.

Bob Valentine, 2660 Park Avenue, came forward to question whether the City needed to help Cedars Youth Services. He stated that Lincoln is the highest taxed city in the Midwest and that the City is already broke.

Bob VanValkenburg, 7921 Reno Rd., suggested that fiscal sanity has to be a priority of the City.

Craig Groat, 4935 Huntington Ave., came forward to comment on the City's low quality of economic growth. He was in favor of the Cedars Youth Services agreement.

Jon Carlson, 1445 S. 20th St., came forward in favor of.
This matter was taken under advisement.

SPECIAL PERMIT 1629E - APPLICATION OF SOUTH RIDGE VILLAGE, L.L.C. TO AMEND SOUTH RIDGE VILLAGE COMMERCIAL DEVELOPMENT TO ADJUST THE BUILDING ENVELOPE AND SQUARE FOOTAGES, AND TO PERMIT A 50' TALL CLOCK TOWER, ON PROPERTY GENERALLY LOCATED AT SOUTH 27TH STREET AND PINE LAKE ROAD - Brian Carstens, 2935 Pine Lake Rd., Suite H, came forward representing South Ridge Development. Discussion followed.

This matter was taken under advisement.

SPECIAL PERMIT 1966 - APPLICATION OF LA MOUNTAIN TRUST FOR AUTHORITY TO USE THE DESIGNATED LANDMARK JOSEPH GRAINGER HOUSE FOR FOUR DWELLING UNITS AND TWO BED AND BREAKFAST SUITES ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF 20TH AND B STREET - Dennis McCulley, 1970 B Street, came forward representing La Mountain Trust and explaining his plans for this property. Discussion followed.

Jon Carlson, 1445 S, 20th St., President of the Near South Neighborhood, came forward to say that they were glad Mr. McCulley would be living in this house & the Board voted 12-1 in favor of the compromise he offered. Discussion followed.

Ken Winston, 1915 D Street, came forward in opposition.
Discussion followed.

John Mercier, 1930 B Street, came forward in opposition.

John R. Thompson, 1264 S. 20th Street, came forward in opposition.

Bill Svoboda, no address given, came forward in opposition.

Sharon Merritt Brushwood, 1965 B Street, came forward in opposition.

Bill Wayne, 1980 C Street, came forward in opposition.

Bob VanValkenburg, 7921 Reno Rd., asked what good is a plan if there's always a waiver. He asked Council to make a plan & listen to the people.

Coleen Seng, Council Person, asked Ed Zimmer what the R-6 zoning allows.

Mr. Zimmer stated that it allows for 19 dwelling units.

Glenn Friendt, Council Person, asked if it could be changed from R-6 zoning.

Mr. Zimmer answered yes the City Council can change zoning of property. Discussion followed.

Mr. McCulley came forward in rebuttal and withdrew his application for a Bed & Breakfast and will leave it as six units.

Dana Roper, City Attorney, stated that the applicant needs to submit his withdrawal in writing.

This matter was taken under advisement.

WAIVING THE SUBDIVISION REQUIREMENT FOR THE INSTALLATION OF STREET TREES ALONG OLD CHENEY ROAD IN THE LINCOLN RACQUET CLUB ADDITION ADMINISTRATIVE FINAL PLAT GENERALLY LOCATED AT S. 56TH STREET AND OLD CHENEY ROAD - Brian Carstens, 2935 Pine Lake Rd., Suite H, came forward on behalf of Lincoln Racquet Club to answer any questions.

This matter was taken under advisement.

ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF FAIRWAY PARK FOR 10 LOTS AND ONE OUTLOT, WITH WAIVERS TO THE REQUIRED STORMWATER DETENTION, SIDEWALKS ALONG THE SOUTH SIDE OF THERESA STREET WEST OF THE PRIVATE ROADWAY, CURVE RADIUS, AND FLOODPLAIN REQUIREMENTS, ON PROPERTY GENERALLY LOCATED AT N. 27TH STREET AND THERESA STREET - Ron Ross & Gus Ponstingl of Ross Engineering, 201 N. 8th St., came forward for the property owners of Fairway Park who are considering discontinuing to operate the mobile home park thus the reason for the preliminary plat. This will be phased out over a lengthy period of time. Adequate notice will be given the home owners in this park. Discussion followed.

Mr. Friendt asked what will happen as far as flood plain management & stormwater detention as far as fill if this is converted into an industrial or commercial park.

Jason Reynolds, Planning Dept., stated that the fill would be done in accordance with this preliminary plat if approved. They have onsite stormwater detention retention & there would be some floodwaters that would be displaced by the building pad sites. This plat meets the current regulations for flood plain development.

Nicole Fleck-Tooze, Public Works & Utilities Dept., added that

this plat is looking to somewhat reduce the amount of fill that would be brought in if fully complied with the subdivision requirements which requires the entire site to be filled. This proposal brings in a substantial amount of fill so there would be an impact on flood storage, but doesn't bring in as much as would be needed to bring the entire site a foot above flood elevation. The benefit is you bring in less fill & then flood proof the buildings on the site.

This matter was taken under advisement.

ADOPTING THE 2002-2003 ANNUAL OPERATING BUDGET - Steve Hubka, Budget Officer, presented a substitute resolution citing there was a change on Page 6 of the transfer of appropriations. There was a \$200 error so the amount is now \$12,961.37 . The other change is Item #31 on the same page. Jonathan had asked him to address the City Council's reappropriation/discretionary monies, \$49,337.00. These are the only changes. He asked if there were any questions.

Craig Groat, 4935 Huntington Avenue, came forward to address the economic growth of the City of Lincoln. He requested that the use of Eminent Power of Domain be used to take back the Old Federal Building.

Bob VanValkenburg, 7921 Reno Road, stated the reason for budget problems is the 2,000 jobs leaving the City of Lincoln followed by other opinions concerning the budget problems.

This matter was taken under advisement.

TOOK BREAK 4:03 P.M.

RECONVENED 4:15 P.M.

MISCELLANEOUS BUSINESS

Craig Groat, 4935 Huntington Street, came forward to discuss zoning of the older homes to allow students to live in them. He also discussed infrastructure & impact fees. He read from the Duncan Report & referred to the MGIC Underwriting Guide.

This matter was taken under advisement.

**** END OF PUBLIC HEARING ****

COUNCIL ACTION

LIQUOR RESOLUTIONS

APPLICATION OF FAMOUS DAVE'S FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 258.7 FEET BY 149.5 FEET IN THE GOVERNOR'S MANSION YARD LOCATED AT 1425 H STREET ON THE 7TH DAY OF SEPTEMBER, 2002 FROM 2:00 P.M. TO 5:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-81664 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Famous Dave's for a Special Designated License to cover an area measuring 258.7 feet by 149.5 feet at the Governor's Mansion yard at 1625 H Street, Lincoln, Nebraska, on the 7th day of September, 2002 between the hours of 2:00 p.m. and 5:00 p.m., be approved with the condition that the premise complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, McRoy, Seng; NAYS: Friendt, Svoboda; ABSENT: Werner

APPLICATION OF CRAWDAD'S INC. DBA HOLMES GOLF COURSE FOR A SPECIAL DESIGNATED LICENSE TO COVER THE ENTIRE GOLF COURSE AND PARKING LOT AT 3701 S. 70TH STREET ON THE 19TH DAY OF SEPTEMBER, 2002 FROM 8:00 A.M. TO 8:00 P.M. - CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption for approval with date change of 26th of September:

Seconded by Seng & TIED by the following vote: AYES: Cook, McRoy, Seng; NAYS: Camp, Friendt, Svoboda; ABSENT: Werner.
Due to a tie vote the SDL application of Holmes Golf Course will be carried over to Sept. 9, 2002.

ORDINANCES - 2ND READING

CHANGE OF ZONE 74HP - APPLICATION OF CINDY LOOPE FOR A LANDMARK DESIGNATION FOR THE EAST CAMPUS NEIGHBORHOOD LANDMARK DISTRICT GENERALLY LOCATED BETWEEN HOLDREGE STREET ON THE NORTH, IDYLWILD DRIVE ON THE WEST, APPLE STREET ON THE SOUTH AND N. 40TH STREET ON THE EAST - PRIOR to reading:

SENG Moved to have 2nd & 3rd reading this date.

Seconded by McRoy & LOST by the following due to a lack of a majority vote (need 5): AYES: Cook, Friendt, McRoy, Seng; NAYS: Camp, Svoboda; ABSENT: Werner.

CLERK Read an ordinance, introduced by Coleen Seng, for a Change of Zone 74HP - application of Cindy Loope for a landmark designation for the East Campus Neighborhood Landmark District generally located between Holdrege Street on the north, Idylwild Drive on the west, Apple Street on the South and N. 40th Street on the east, the second time.

RESOLUTIONS

APPROVING THE APPOINTMENT OF TERRY WERNER TO THE UTILITY BILLING CHECK-OFF PROGRAM BOARD A FOR ONE-YEAR TERM FROM SEPTEMBER 1, 2002 THROUGH AUGUST 31, 2003.(SUBSTITUTE RESOLUTION) - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81665 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Terry Werner to the Advisory Board for the utility billing check-off program for a one-year term from September 1, 2002 through August 31, 2003, is hereby approved.

Introduced by Ken Svoboda

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Werner.

APPROVING THE CEDARS NORTHBRIDGE REDEVELOPMENT AGREEMENT BETWEEN THE CITY AND CEDARS YOUTH SERVICES, INC. FOR REDEVELOPMENT OF THE PROPERTY LOCATED AT 1535 N. 27TH STREET, WITHIN THE NORTH 27TH STREET REDEVELOPMENT PLAN, AS A COMMUNITY CENTER PROVIDING SERVICES FOR FAMILIES AND YOUTH. SPECIAL PERMIT 1629E - APPLICATION OF SOUTH RIDGE VILLAGE, L.L.C. TO AMEND SOUTH RIDGE VILLAGE COMMERCIAL DEVELOPMENT TO ADJUST THE BUILDING ENVELOPE AND SQUARE FOOTAGES, AND TO PERMIT A 50' TALL CLOCK TOWER, ON PROPERTY GENERALLY LOCATED AT SOUTH 27TH STREET AND PINE LAKE ROAD - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81666 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Cedars Northbridge Community Center Redevelopment Agreement between the City of Lincoln and the Cedars Youth Services, Inc., for redevelopment of the property located at 1535 N. 27th Street, within the North 27th Street Redevelopment Plan, as a community center providing services for families and youth, in accordance with the terms and conditions contained in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return one fully executed copy of the Agreement to the Urban Development Department, for transmittal to Cedars Youth Services.

Introduced by Ken Svoboda

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Werner.

SPECIAL PERMIT 1629E - APPLICATION OF SOUTH RIDGE VILLAGE, L.L.C. TO AMEND SOUTH RIDGE VILLAGE COMMERCIAL DEVELOPMENT TO ADJUST THE BUILDING ENVELOPE AND SQUARE FOOTAGES, AND TO PERMIT A 50' TALL CLOCK TOWER, ON PROPERTY GENERALLY LOCATED AT SOUTH 27TH STREET AND PINE LAKE ROAD - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81667 WHEREAS, South Ridge Village, L.L.C. has submitted an application

designated as Special Permit No. 1629E for authority to amend Special Permit No. 1629 to adjust the building envelope and the building square footages, and to permit a 50' tall clock tower on property located at South 27th Street and Pine Lake Road, and legally described to wit:

Lots 1 through 8, and a portion of Lot 9, South Ridge Village Addition; Lots 1 and 2, South Ridge Village 4th Addition; Lot 2 and a portion of Lot 1 and Outlot "A", South Ridge Village 6th Addition; Lot 1 and a portion of Outlot "A", South Ridge Village 7th Addition; and the remaining portion of Lot 1, Block 1, Porter Ridge West 4th Addition, all located in the Northwest Quarter of Section 19, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Commencing at the southwest corner of Lot 1, Block 1, Porter Ridge West 4th Addition, and the true point of beginning; thence northerly north 00 degrees 02 minutes 24 seconds west along the west line of Lot 1, Block 1, Porter Ridge West 4th Addition, a distance of 556.92 feet; thence northerly north 02 degrees 15 minutes 01 seconds east, a distance of 305.80 feet; thence northerly north 02 degrees 22 minutes 38 seconds west along the west line of Outlot "A", South Ridge Village 7th Addition being 72.22 feet east of the west line of said Section 19 and the center line of South 27th Street, a distance of 285.21 feet; thence northeasterly on a bearing of north 44 degrees 32 minutes 08 seconds east, a distance of 56.15 feet; thence on an assumed bearing of north 89 degrees 57 minutes 36 seconds east along the north line of said Outlot "A", said line being 60.00 feet south and parallel with the center line of right-of-way for Pine Lake Road, a distance of 160.00 feet to a point of curvature; thence around a curve in a counter clockwise direction having a delta angle of 28 degrees 37 minutes 53 seconds, an arc distance of 529.70 feet, a radius of 1060.00 feet, and a chord of north 75 degrees 38 minutes 40 seconds east along the north line of said Outlot "A", said line being 60.00 feet south and parallel with the center line of right-of-way for Pine Lake Road, a distance of 524.20 feet, to a point of tangency; thence northwesterly on a bearing of north 61 degrees 19 minutes 43 seconds east, a distance of 502.67 feet to a point of curvature; thence around a curve in a clockwise direction having a delta angle of 15 degrees 29 minutes 42 seconds, an arc distance of 254.21 feet, a radius of 940.00 feet, and a chord of north 69 degrees 04 minutes 34 seconds east, said line being 60.00 feet southeast of and parallel to the center line of right-of-way for Pine Lake Road, a distance of 253.44 feet; thence southerly south 13 degrees 10 minutes 35 seconds east, a distance of 2.74 feet to a point of curvature; thence around a curve in a clockwise direction having a delta angle of 09 degrees 17 minutes 35 seconds, an arc distance of 97.32 feet, a radius of 600.00 feet, and a chord of south 08 degrees 31 minutes 48 seconds east, a distance of 97.21 feet to a compound curvature; thence around a curve in a clockwise direction having a delta angle of 69 degrees 06 minutes 18 seconds, an arc distance of 150.76 feet, a radius of 125.00 feet, and a chord of south 30 degrees 40 minutes 09 seconds west, a distance of 141.79 feet; thence southeasterly south 24 degrees 46 minutes 42 seconds east, a distance of 243.10 feet to a point of curvature; thence around a curve in a clockwise direction having a delta angle of 68 degrees 47 minutes 18 seconds, an arc distance of 150.07 feet, a radius of 125.00 feet, and a chord of south 09 degrees 36 minutes 57 seconds west, a distance of 141.22 feet; thence southwesterly south 44 degrees 00 minutes 36 seconds west, a distance of 218.74 feet; thence westerly north 45

degrees 59 minutes 24 seconds west, a distance of 94.58 feet to a point of curvature; thence around a curve in a clockwise direction having a delta angle of 04 degrees 26 minutes 15 seconds, an arc distance of 38.73 feet, a radius of 500.00 feet, and a chord of north 43 degrees 46 minutes 17 seconds west, a distance of 38.72 feet; thence southwesterly south 48 degrees 26 minutes 51 seconds west, a distance of 124.88 feet to a point of curvature; thence around a curve in a clockwise direction having a delta angle of 32 degrees 19 minutes 31 seconds, an arc distance of 70.52 feet, a radius of 125.00 feet, and a chord of south 64 degrees 36 minutes 36 seconds west, a distance of 69.59 feet to a point of tangency; thence westerly south 80 degrees 46 minutes 22 seconds west, a distance of 159.86 feet to a point of curvature; thence around a curve in a counter clockwise direction having a delta angle of 04 degrees 47 minutes 49 seconds, an arc distance of 50.23 feet, a radius of 600.00 feet, and a chord of south 78 degrees 22 minutes 27 seconds west, a distance of 50.22 feet to a point of tangency; thence westerly south 75 degrees 58 minutes 33 seconds west, a distance of 184.34 feet; thence westerly south 77 degrees 36 minutes 59 seconds west, a distance of 145.40 feet to a point of curvature; thence around a curve in a clockwise direction having a delta angle of 08 degrees 20 minutes 24 seconds, an arc distance of 87.34 feet, a radius of 600.00 feet, and a chord of south 81 degrees 53 minutes 48 seconds west, a distance of 87.26 feet to a point of tangency; thence westerly south 86 degrees 04 minutes 01 seconds west, a distance of 8.57 feet; thence southerly south 00 degrees 00 minutes 00 seconds east, a distance of 171.60 feet; thence easterly south 89 degrees 53 minutes 38 seconds east along the center line of Porter Ridge Road, a distance of 31.02 feet; thence around a curve in a clockwise direction having a delta angle of 09 degrees 21 minutes 39 seconds, an arc distance of 24.51 feet, a radius of 150.00 feet, and a chord of south 85 degrees 12 minutes 49 seconds east, said line being the center line of Porter Ridge Road, a distance of 24.48 feet; thence southerly south 00 degrees 06 minutes 48 seconds west along the east line of Lot 1, Block 1, Porter Ridge West 4th Addition, a distance of 593.72 feet; thence westerly south 89 degrees 57 minutes 36 seconds west along the south line of Lot 1, Block 1, Porter Ridge West 4th Addition, a distance of 434.14 feet to the southwest corner of said Lot 1, Block 1, Porter Ridge West 4th Addition being 60.00 feet east of the west line of said Section 19, to the point of beginning; containing a calculated area of 1,029,146.74 square feet or 23.63 acres more or less;

WHEREAS, the real property adjacent to the area included within the site plan for this adjustment to the commercial development will not be adversely affected; and

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

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

That the application of South Ridge Village, L.L.C., hereinafter referred to as "Permittee", to amend South Ridge Village commercial development to adjust the building envelope and the building square footages, and to permit a 50' tall clock tower, on the property legally described above, be and the same is hereby granted under the provisions of Sections 27.63.470(e) of the Lincoln Municipal Code upon condition that construction and operation of said commercial district be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves 215,000 square feet of commercial uses as shown on the approved site plan and per § 27.63.470(e) of

- the Lincoln Municipal Code modifies the height requirement to permit a 50 foot tall clock tower on the primary commercial/retail building.
2. Before receiving building permits:
 - a. The Permittee must submit a reproducible final plan, including five copies, approved by the Planning Director.
 - b. The construction plans must conform to the approved plans.
 - c. Final plats within the area of South Ridge Village commercial development must be approved by the City.
 - d. The Permittee must receive approval for an administrative amendment to specify the site plan within the O-3 area.
 3. Before occupying this commercial use, all development and construction must be completed in conformance with the approved plans.
 4. All privately-owned improvements, shall be permanently maintained by the owner or an appropriately established property owners association approved by the City Attorney.
 5. The site plan approved by this permit represents the official approved permit, and shall be the basis for all interpretations of setbacks, yards, locations of structures, location of parking and circulation elements, etc.
 6. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.
 7. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.
 8. The site plan as approved with this Resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Introduced by Ken Svoboda

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Werner.

SPECIAL PERMIT 1966 - APPLICATION OF LA MOUNTAIN TRUST FOR AUTHORITY TO USE THE DESIGNATED LANDMARK JOSEPH GRAINGER HOUSE FOR FOUR DWELLING UNITS AND TWO BED AND BREAKFAST SUITES ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF 20TH AND B STREET - PRIOR to reading:

Camp Moved to Withdraw Bill No. 02R-184.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Werner.

The resolution, having been **WITHDRAWN**, was assigned File #38-4412, & placed on file in the Office of the City Clerk.

WAIVING THE SUBDIVISION REQUIREMENT FOR THE INSTALLATION OF STREET TREES ALONG OLD CHENEY ROAD IN THE LINCOLN RACQUET CLUB ADDITION ADMINISTRATIVE FINAL PLAT GENERALLY LOCATED AT S. 56TH STREET AND OLD CHENEY ROAD - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81668 WHEREAS, the administrative final plat of Lincoln Racquet Club Addition has been conditionally approved by the Planning Director for the City of Lincoln; and

WHEREAS, the conditions of approval of said administrative final plat require the planting of street trees along Old Cheney Road within said plat, on property generally located at S. 56th Street and Old Cheney Road; and

WHEREAS, Lincoln Racquet Club, Inc. has requested a modification to waive said requirement pursuant to § 26.31.010 of the Lincoln Municipal Code; and

WHEREAS, the Lincoln Lancaster County Planning Commission has reviewed said request and has recommended conditional approval of said request; and

WHEREAS, the City Council finds that the strict application of all requirements would result in actual difficulties or substantial hardship or injustice to the property owner.

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

That the requirement of Section 26.27.090 of the Land Subdivision Ordinance that street trees be planted on private property abutting major streets, on property generally located at 56th Street and Old Cheney Road within the administrative final plat of Lincoln Racquet Club Addition is hereby waived.

Introduced by Ken Svoboda

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Werner.

ACCEPTING AND APPROVING THE PRELIMINARY PLAT OF FAIRWAY PARK FOR 10 LOTS AND ONE OUTLOT, WITH WAIVERS TO THE REQUIRED STORMWATER DETENTION, SIDEWALKS ALONG THE SOUTH SIDE OF THERESA STREET WEST OF THE PRIVATE ROADWAY, CURVE RADIUS, AND FLOODPLAIN REQUIREMENTS, ON PROPERTY GENERALLY LOCATED AT N. 27TH STREET AND THERESA STREET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81669 WHEREAS, **Jarock, Inc.** has submitted the preliminary plat of **FAIRWAY PARK** and associated request for waiver of stormwater detention/retention, sidewalks along the south side of Theresa Street west of the private roadway, curve radius, and flood plain requirements for acceptance and approval; and

WHEREAS, the Lincoln City - Lancaster County Planning Commission has reviewed said preliminary plat and made recommendations as contained in the letter dated April 19, 2002, which is attached hereto as Exhibit "A"; and

WHEREAS, the Lincoln City-Lancaster County Planning Commission recommended denial of the requested waivers for stormwater detention/retention and sidewalks along the south side of Theresa Street west of the private roadway.

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

That the preliminary plat of **FAIRWAY PARK**, located at N. 27th Street and Theresa Street as submitted by **Jarock, Inc.** is hereby accepted and approved, subject to the terms and conditions set forth in Exhibit "A", which is attached hereto and made a part of this resolution as though fully set forth verbatim.

BE IT FURTHER RESOLVED that the City Council finds that the tract to be subdivided is surrounded by such development or unusual conditions that strict application of the subdivision requirements would result in actual difficulties or substantial hardship and the following modifications to the subdivision requirements are therefore approved:

1. The centerline radius requirements of the Design Standards are waived to permit shorter centerline radius for curves.
2. The requirement of Section 26.23.181 of the Lincoln Municipal Code that all areas of habitation and employment be raised to one foot above the 100 year flood elevation is hereby waived in order to minimize the amount of fill material required to be brought into the floodplain.

Introduced by Ken Svoboda

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Werner.

ADOPTING THE 2002-2003 ANNUAL OPERATING BUDGET - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:

A-81670 WHEREAS, under the provisions of Section 25 and 25a of Article IX of the Charter of the City of Lincoln, the proposed annual budget for the City of Lincoln was submitted on June 24, 2002; and

WHEREAS, under the provisions of Section 26 of Article IX of the City Charter, a public hearing on the proposed budget was held on August 12, 2002 notice thereof having been published in one issue of the Lincoln Journal Star, a newspaper of general circulation in the City, more than five days before such hearing; and

WHEREAS, all necessary changes have been made as to revenue estimates and appropriation items.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska;

1. That pursuant to the provisions of Article IX of the Charter of the City of Lincoln, the budget for the fiscal year beginning September 1, 2002, a copy of which is hereto attached and made a part of this resolution as fully as if set forth verbatim herein, is hereby adopted, and the several sums therein set forth to be raised by the levy of a tax upon all taxable property within the corporate limits of the

City of Lincoln, Nebraska, the estimated balances on hand, the miscellaneous receipts and all other funds and receipts are hereby appropriated for the several purposes therein stated. That all money received in any of the aforesaid funds in excess of the estimated balances and receipts set forth in said budget shall be credited to the unappropriated surplus of such funds.

2. The City Council, by adoption of the Capital Improvement Program on Schedule 5 of this resolution, hereby authorizes the acquisition of all necessary right-of-way, easements, or other interest in land, by purchase if possible, by condemnation if necessary, for those projects included within the first year of said Capital Improvement Program.

3. Pursuant to Section 2 of L.B. 989 passed by the Second Session of the Ninety-Fifth Legislature, the City is authorized to increase budgeted restricted funds by the basic allowable growth percentage of the base (2.5%) and allowable growth due to improvements to real property as a result of new construction, additions to existing buildings, any improvements to real property which increase the value of such property, and any increase in valuation due to annexation and any personal property valuation over the prior year above 2.5% expressed in dollars and to utilize other lid exemptions authorized in L.B. 989. Such increase is hereby authorized to the extent necessary to generate the revenues to fund the budget, and any unused restricted funds authority is hereby authorized to be carried forward to future budget years.

4. Pursuant to the agreement for the provision of services related to the emergency medical care system in Lincoln, Nebraska, the annual budget for Emergency Medical Services, Inc. a copy of which is attached hereto, labeled Schedule 6, is hereby approved.

5. There is hereby appropriated all money now credited or which will be credited to any Internal Service Fund, Trust Fund, Agency Fund, and Enterprise Fund, now or heretofore created, notwithstanding any sum limitations set forth in the budget attached hereto.

6. There is hereby appropriated all money now credited or which will be credited to the Building and Safety Fund notwithstanding any sum limitation set forth in the budget attached hereto.

7. There is hereby appropriated all money received or to be received from the County of Lancaster, the State of Nebraska, or the United States, as well as from any grants, donations, or contributions received for public purposes and the interest earned thereon, notwithstanding any sum limitations set forth in the budget attached hereto.

8. There is hereby appropriated all money received from the interest income on the investments of all authorized bond issue proceeds including bond anticipation notes for the purposes for which said bonds and notes have been authorized to be issued, notwithstanding any sum limitations set forth in the budget attached hereto.

9. There is hereby appropriated in the Worker's Compensation Loss Revolving Fund all amounts included in the budget for Worker's Compensation benefits, together with any recoveries on account of subrogation interests, from which fund all losses and costs incidental to the administration of such losses shall be paid, notwithstanding any sum limitations set forth in the budget attached hereto.

10. There is hereby appropriated to the credit of the Social Security Fund and Payroll Liability Account, in addition to the tax levied therefor, any money deducted from employees' salaries and wages

together with any departmental contributions in non-tax supported funds, notwithstanding any sum limitations set forth in the budget attached hereto.

11. There is hereby appropriated all money now credited or which will be credited to the Self-Insured Health Fund, notwithstanding any sum limitation set forth in the budget attached hereto.

12. There is hereby appropriated cash balances credited to the Health Care Fund, notwithstanding any sum limitation set forth in the budget attached hereto, for payment as needed to provide health care benefits to City employees.

13. There is hereby appropriated all money now credited or which will be credited to the Snow Removal Fund, notwithstanding any sum limitation set forth in the budget attached hereto.

14. There is hereby appropriated all money now credited or which will be credited to the Vehicle Tax Construction Fund created by Section 3.20.220 of the L.M.C. (Vehicle Tax for street improvements) notwithstanding any sum limitation set forth in the budget attached

hereto.

15. There is hereby appropriated all money now credited or which will be credited to the Unemployment Insurance Fund, notwithstanding any sum limitation set forth in the budget attached hereto.

16. All receipts for on street parking meter collections are pledged toward the payment of bonds assigned for payment from the Parking Revenue Fund. Parking meter receipts in excess of those required to meet provisions of the bond covenants shall be credited to the General Fund up to the amounts budgeted.

17. There is hereby appropriated all money now credited or which will be credited to the Parking Lot Revolving Fund to be used for designing, acquiring, constructing, maintaining, repairing, regulating, supervising and policing of City owned parking lots and facilities in accordance with L.M.C. Chapter 10.34 and Chapter 10.36, notwithstanding any sum limitations set forth in the budget attached hereto.

18. There is hereby appropriated to the Street Construction Fund all monies received as the City's share of the Highway Allocation Fund and the Grade Crossing Protection Fund, together with any other Federal, State, and County funds, received for street construction purposes, any reimbursements and matching funds, including Federal Road Funds, all of which monies are hereby appropriated and reappropriated for all purposes as authorized by State laws pertaining to such funds, notwithstanding any sum limitations set forth in the budget attached hereto.

19. There is hereby appropriated in the Special Assessment Revolving Fund all monies in said fund for expenditures as authorized by Article VIII of the City Charter, Section 10a and all money received to the credit of the Special Assessment Revolving Fund including bond proceeds, grants, donations, special assessment collections, and City participation deemed necessary by the City Council, notwithstanding any sum limitations set forth in the budget attached hereto.

20. There is hereby appropriated all money now credited or which will be credited in the Advance Acquisition Fund as provided in Article IX B, Section 12 of the City Charter, notwithstanding any sum limitation set forth in the budget attached hereto.

21. There is hereby appropriated all money now credited or which will be credited to the 911 Communication Fund, notwithstanding any sum limitation set forth in the budget attached hereto.

22. There is hereby appropriated all money now credited or which will be credited to the Auditorium Promotion Fund, notwithstanding any sum limitation set forth in the budget attached hereto.

23. There is hereby appropriated all money now credited or which will be credited to the Arbitrage Rebate Fund, notwithstanding any sum limitation set forth in the budget attached hereto.

24. There is hereby appropriated all money now credited or which will be credited to the Tax Sale Revolving Fund, notwithstanding any sum limitation set forth in the budget attached hereto.

25. There is hereby appropriated all money now credited or to be credited in the City Aviation Promotion Fund as provided in Neb. Rev. Stat. Section 3-504.02 (1991), notwithstanding any sum limitation set forth in the budget attached hereto.

26. There is hereby appropriated KENO proceeds for mandated payments, and 1% for administrative fees.

27. There is hereby appropriated all money in the Cable Access Television Fund, notwithstanding any sum limitations set forth in the budget attached hereto.

28. There is hereby appropriated all monies now credited or which will be credited to the Community Improvement Financing Fund and all Tax Allocation Bond Debt Service funds, notwithstanding any sum limitations set forth in the budget attached hereto.

29. There is hereby appropriated all money now credited or which will be credited to the Disaster Recovery Fund, notwithstanding any sum limitation set forth in the budget attached hereto, for paying disaster related expenditures or for reimbursement to other City funds which have made disaster related expenditures for which reimbursement from outside sources has been received or as otherwise appropriated.

30. There is hereby appropriated all money now credited or which will be credited to the Property Tax Refund Fund, notwithstanding any sum limitation set forth in the budget attached hereto.

31. There is hereby appropriated all money now credited or which will be credited to the Title V Clean Air fund notwithstanding any sum limitation set forth in the budget attached hereto.

32. There is hereby levied upon all taxable property within the corporate limits of the City of Lincoln, Nebraska, upon each one hundred

dollars of approximate market value thereof, taxes in an amount sufficient to generate funds for the purposes and in the amounts hereinafter named, to-wit:

| | Appropriated Amount-90% | Total Tax As Levied-100% | Per \$100 Market Value |
|-----------------------|----------------------------|-----------------------------|---------------------------|
| General | \$17,600,799 | \$19,556,443 | 0.17570 |
| Library | 5,354,369 | 5,949,299 | 0.05345 |
| Bond and Interest | | | |
| Redemption | 5,438,516 | 6,042,795 | 0.05429 |
| Social Security | 1,618,833 | 1,798,703 | 0.01616 |
| Police & Fire Pension | 1,494,616 | 1,660,684 | 0.01492 |

33. There is hereby authorized the transfer to the appropriate reserve accounts of all encumbrances, including accrued payroll, for the fiscal year ending August 31, 2002, together with any monies previously so reserved.

34. Any unexpended balance remaining in the Police and Fire Pension Fund is reappropriated pursuant to Lincoln Municipal Code, Chapters 2.62, 2.65 and 2.66, notwithstanding any sum limitation set forth in the budget attached hereto.

35. All previous capital appropriations are hereby continued and reappropriated pursuant to Section 27 of Article IX of the Charter of the City of Lincoln, except the unexpended balance remaining in any fully completed project shall be credited to the unappropriated surplus in the fund from which such project was funded.

36. There is hereby designated and appropriated General Fund cash balances in an amount equal to the debt service falling due during the fiscal year for the Golf Course Revenue Bonds issued in 2001 for the purpose of providing for the payment of the principal and interest on such bonds, as they become due, if and to the extent that amounts credited to the Golf Revenue Fund are insufficient and to the extent that such General Fund cash balances are available.

37. There is hereby created the 2005-2006 Debt Service Fund effective August 31, 2002. Cash of \$740,000 from Fund #436 -1997 Storm Sewer Construction and \$1,800,000 from Fund #475 - 1999 G.O. Various Purpose Bonds (Parks and Libraries) shall be transferred to the 2005-2006 Debt Service Fund effective August 31, 2002.

38. That the appropriations for the following items be transferred effective August 31, 2002:

| ACCOUNT NUMBER | DESCRIPTION | AMOUNT |
|------------------|---|-------------|
| From: 18002.5655 | General Expense/Work Study | \$12,302.50 |
| To: 79115.5021 | Watershed Management/Salaries | \$5,200.00 |
| | 02017.5021 Mayor/Affirmative Action | \$7,102.50 |
| From: 18002.5856 | General Expense/City Share of Downtown Maint. | \$69,954.21 |
| To: 413536.6137 | Urb. Dev. Street Tree Replacement CIP Proj. | \$69,954.21 |
| | (also increases 13001.9234 U.D. CIP Transf.) | |

39. That the cash for the following items be transferred effective August 31, 2002:

| | | |
|------------------|---|--------------|
| From: 09036.9220 | Parks/Indoor Playground/Cash Transfers Out | \$13,380.00 |
| To: 280112.9140 | Urb. Revit. AmeriCorps Grant Match | \$13,380.00 |
| From: 04001.9220 | Police/Management/Cash Transfers Out | \$358,829.99 |
| To: 225101.9140 | Police/Victim Witness Grant | \$220,279.22 |
| | 225110.9140 Police/Bulletproof Vest Partnership Grant | \$71,170.00 |
| | 225100.9140 Misc. Police Grants | \$31,519.89 |
| | 225105.9140 Traffic/Speed Selectives Grant | \$31,622.88 |
| | 225111.9140 Traffic Enforcement Grant | \$4,238.00 |
| From: 18002.9220 | General Expense/Cash Transfers Out | \$4,596.50 |
| To: 404101.9140 | City Impound Lot | \$4,596.50 |

40. That cash and appropriations for the following items be transferred effective August 31, 2002:

| ACCOUNT NUMBER | DESCRIPTION | AMOUNT |
|------------------|--|-------------|
| From: 18002.5655 | General Expense/Work Study | \$12,961.37 |
| To: 08003.5021 | Building & Safety/Plan Review | \$2,825.00 |
| | 08003.5086 Building & Safety/Plan Review | \$216.11 |
| | 08002.5021 Building & Safety/Business Office | \$3,040.00 |
| | 08002.5086 Building & Safety/Business Office | \$232.56 |
| | 08006.5021 Building & Safety/Zoning | \$900.00 |
| | 08006.5086 Building & Safety/Zoning | \$68.85 |
| | 10005.5021 Risk Management | \$2,730.00 |
| | 10005.5086 Risk Management | \$208.85 |
| | 12001.5021 Health/Admin. | \$2,740.00 |

41. That the following unexpended appropriations are reappropriated effective August 31, 2002 up to the following amounts:

| ACCOUNT NUMBER | DESCRIPTION | AMOUNT |
|----------------|--|-------------|
| 01001.5989 | City Council/Misc. Other Serv. & Charges | \$49,337.00 |

| | | |
|------------|--|--------------|
| 18002.5856 | General Expense/City Share of Downtown Maintenance | \$10,667.66 |
| 18002.5872 | General Expense/Sidewalk Repairs and Maintenance | \$243,407.00 |
| 05004.6071 | Fire/Emergency Services/Fire Equipment | \$173,319.00 |
| 19001.9247 | Inter-Fund Transfers/Wilderness Park Transfer | \$25,000.00 |
| 06006.5761 | Finance/City Clerk/Microfilming | \$7,125.00 |
| 06009.6069 | Finance/City Treasurer/Data Processing Equipment | \$101,000.00 |
| 06015.6093 | Fleet Services/Radio Shop Replacement Equipment | \$20,508.00 |
| 09250.9246 | Parks/Unprogrammed KENO Appropriations | \$56,026.10 |
| 14004.6069 | Library KENO/data processing equipment | \$7,000.00 |
| 14004.6075 | Library KENO/media | \$300,000.00 |
| 79110.5621 | Pub. Wks./Util./Drainage/ditch work | \$6,462.00 |
| 79110.5621 | Pub. Wks./Util./Drainage/design Williamsburg Detention Pond | \$40,000.00 |
| 79110.5621 | Pub. Wks./Util./Drainage/ dredging Williamsburg Detention Pond | \$260,000.00 |
| 70320.6998 | Pub. Wks./Util./Water/leak detection system | \$55,000.00 |
| 70310.6998 | Pub. Wks./Util./software lic., service & maint. | \$32,500.00 |

42. That unencumbered appropriations from the budget for the fiscal year beginning September 1, 2001 be transferred as follows effective August 31, 2002:

| | <u>ACCOUNT NUMBER</u> | <u>DESCRIPTION</u> | <u>AMOUNT</u> |
|-------|-----------------------|--|---------------|
| From: | 09001.5021 | Parks/Admin./Salaries | \$40,000 |
| | 09002.5021 | Parks/Gen. Parks Admin./Salaries | \$26,000 |
| | 09008.5022 | Parks/SE Dist./Salaries | \$12,000 |
| To: | 409359.6132 | Park Building Roof Repair | \$78,000 |
| | 09002.9237 | (also increase 09002.9237 Parks CIP Transfer) | |

43. That unencumbered appropriations from the budget for the fiscal year beginning September 1, 2001 be transferred and reappropriated as follows effective August 31, 2002:

| | <u>ACCOUNT NUMBER</u> | <u>DESCRIPTION</u> | <u>AMOUNT</u> |
|-------|-----------------------|---|---------------|
| From: | 18002.5637 | Gen. Exp./Eng. Serv./Flood Studies | \$18,496 |
| To: | 79110.5621 | Pub. Wks./Util./Drainage/Misc. Contract. | \$18,496 |
| From: | 14010.5630 | Library/Building & Grounds/Custodial Service | \$23,000 |
| To: | 14011.5621 | Library./Public Service/Misc. Contractual | \$23,000 |
| From: | 14010.5821 | Library/Building & Grounds/Electricity | \$25,000 |
| To: | 14011.6072 | Library./Public Service/Furniture & Fixtures | \$25,000 |
| From: | 14011.5021 | Library/Public Service/Salaries | \$50,000 |
| To: | 14010.5621 | Library./Building & Grounds/Misc. Contract. | \$50,000 |
| From: | 18002.6069 | General Expense/Data Processing Equipment | \$22,500 |
| To: | 79200.5272 | Pub. Wks./Util./residential street name signs | \$22,500 |

44. That 10% of the balance residing in the Reappropriation of Prior Year Budget line item(s) (6001) on August 31, 2002 for each fund shown below is hereby reappropriated up to the amount shown below. The remaining 90% of Reappropriation of Prior Year Budget line item(s) (6001) will lapse to the unappropriated balance of the fund effective August 31, 2002.

| <u>FUND</u> | <u>AMOUNT</u> |
|-------------------------------|---------------|
| General (excludes b.u. 01001) | \$144,907 |
| Health | \$16,057 |
| Animal Control | \$2,283 |
| StarTran | \$7,500 |
| 9-1-1 Communications | \$2,093 |

45. There is hereby appropriated to each departmental operating budget 25% of the unencumbered operating appropriations as shown in the final Appropriation Status Report as of August 31, 2002 up to the amount shown below:

| <u>FUND</u> | <u>AMOUNT</u> |
|----------------------|---------------|
| General | \$232,461 |
| Health | \$18,750 |
| Animal Control | \$12,500 |
| StarTran | \$37,500 |
| Aging | \$43,750 |
| 9-1-1 Communications | \$5,000 |

46. That appropriations for Woods Pool/Tennis Complex (project 409377.6138 and transfer 09249.9237) are increased \$90,000 effective August 31, 2002 to be funded by balances in the Tennis Capital Improvements Fund (#110).

47. That appropriations for the Highlands Shoreline Stabilization Golf Capital Project (409115.6138) are increased \$100,360 effective August 31, 2002 to be funded by balances in the Golf Capital Improvements Fund (#115).

48. There is hereby attached and made a part hereof a listing of all funds of the City of Lincoln which are hereby confirmed and approved.

Introduced by Ken Svoboda
Seconded by Seng & carried by the following vote: AYES: Cook,
Friendt, McRoy, Seng, Svoboda; NAYS: Camp; ABSENT: Werner.

SETTING THE HEARING DATE OF MONDAY, SEPT. 16, 2002 AT 1:30 P.M. FOR CLURICAUN
WINES LLC DBA CLURICAUN WINES FOR A WHOLESALE LIQUOR LICENSE AT 825 M
STREET, SUITE 211 - CLERK read the following resolution, introduced by
Ken Svoboda, who moved its adoption:

A-81671 BE IT RESOLVED by the City Council, of the City of Lincoln, that a
hearing date is hereby fixed for Mon., September 16, 2002, at 1:30 p.m.
or as soon thereafter as possible in the City Council Chambers, County-
City Building, 555 S. 10th St., Lincoln, NE, for the App. of Cluricaun
Wines LLC dba Cluricaun Wines for a Wholesale Liquor License located at
825 M Street, Suite 211, entire area approximately 10 x 16.

If the Police Dept. is unable to complete the investigation by
said time, a new hearing date will be set.

Introduced by Ken Svoboda
Seconded by Seng & carried by the following vote: AYES: Camp,
Cook, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Werner.

SETTING HEARING DATE OF MONDAY, SEPT. 16, 2002 AT 1:30 P.M. FOR THE APP. OF
DAVID NGUYEN DBA "CLUB ENERGY" FOR A CLASS "I" LIQUOR LICENSE AT 1415 O
STREET - CLERK read the following resolution, introduced by Ken Svoboda,
who moved its adoption:

A-81672 BE IT RESOLVED by the City Council, of the City of Lincoln, that a
hearing date is hereby fixed for Mon., September 16, 2002, at 1:30 p.m.
or as soon thereafter as possible in the City Council Chambers, County-
City Building, 555 S. 10th St., Lincoln, NE, for the App. of Davaid
Nguyen dba "Club Energy" for a Class "I" Liquor License located at 1415
"O" Street.

If the Police Dept. is unable to complete the investigation by
said time, a new hearing date will be set.

Introduced by Ken Svoboda
Seconded by Seng & carried by the following vote: AYES: Camp,
Cook, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Werner.

USE PERMIT NO. 144 - APPLICATION OF PIONEER WOODS, L.L.C. TO DEVELOP
APPROXIMATELY 105,000 SQ. FT. OF OFFICE AREA, WITH A WAIVER OF DESIGN
STANDARDS TO ALLOW SIGNS IN THE FRONT YARD, TO NOT SHOW SIGNS ON THE
SITE PLAN, TO ADJUST SETBACKS WHERE LOTS ABUT THE OUTLOT, TO MODIFY THE
SUBDIVISION REQUIREMENTS SO THAT FINAL PLATS MAY BE BASED UPON THE USE
PERMIT AND TO REDUCE THE FRONT YARD SETBACK ON PROPERTY GENERALLY
LOCATED AT THE NORTHEAST CORNER OF S. 70TH STREET AND PIONEERS BLVD. (**IN
CONNECTION W/02-128**) - CLERK read the following resolution, introduced
by Coleen Seng, who moved its adoption:

A-81674 WHEREAS, Pioneer Woods, L.L.C. has submitted an application in
accordance with Section 27.27.080 of the Lincoln Municipal Code
designated as Use Permit No. 144 for authority to construct

approximately 105,000 sq. ft. of office area with associated waivers on
property generally located at the northeast corner of S. 70th Street and
Pioneers Blvd., and legally described to wit:

A portion of Lot 54 I.T., located in the Southwest
Quarter of Section 3, Township 9 North, Range 7 East
of the 6th P.M., City of Lincoln, Lancaster County,
Nebraska, and more particularly described as follows:

Commencing at the southwest corner of said Lot 54
I.T., said point being on the east right-of-way line
of Pioneer Woods Drive and the north right-of-way of
Pioneers Boulevard, said point being the true point of
beginning; thence on an assumed bearing of north 00
degrees 24 minutes 50 seconds east along a west line
of said Lot 54 I.T., a distance of 14.33 feet to a
point of curvature; thence along a curve in a
clockwise direction, having a radius of 555.00 feet,
arc length of 113.49 feet, delta angle of 11 degrees
43 minutes 00 seconds, a chord bearing of north 06
degrees 16 minutes 20 seconds east along a west line
of said Lot 54 I.T., and a chord length of 113.30 feet
to a point of reverse curvature; thence along a curve
in a counter clockwise direction, having a radius of
645.00 feet, arc length of 131.90 feet, delta angle of

11 degrees 43 minutes 00 seconds, a chord bearing of north 06 degrees 16 minutes 20 seconds east along a west line of said Lot 54 I.T., and a chord length of 131.67 feet to a point of tangency; thence north 00 degrees 24 minutes 50 seconds east along a west line of said Lot 54 I.T., a distance of 31.98 feet to a west corner of said Lot 54 I.T.; thence north 89 degrees 35 minutes 10 seconds west along a south line of said Lot 54 I.T., a distance of 13.21 feet to a west corner of said Lot 54 I.T.; thence north 00 degrees 00 minutes 00 seconds east along a west line of said Lot 54 I.T., a distance of 76.17 feet to a point of curvature; thence along a curve in a counter clockwise direction, having a radius of 432.00 feet, arc length of 307.08 feet, delta angle of 40 degrees 43 minutes 40 seconds, a chord bearing of north 20 degrees 21 minutes 50 seconds west along a west line of said Lot 54 I.T., and a chord length of 300.66 feet to a point of reverse curvature; thence along a curve in a clockwise direction, having a radius of 343.00 feet, arc length of 179.45 feet, delta angle of 29 degrees 58 minutes 33 seconds, a chord bearing of north 25 degrees 44 minutes 24 seconds west along a west line of said Lot 54 I.T., and a chord length of 177.41 feet to a point of reverse curvature; thence along a curve in a counter clockwise direction, having a radius of 257.00 feet, arc length of 160.73 feet, delta angle of 35 degrees 50 minutes 01 seconds, a chord bearing of north 28 degrees 40 minutes 08 seconds west along a west line of said Lot 54 I.T., and a chord length of 158.12 feet to a point of tangency; thence north 46 degrees 35 minutes 08 seconds west along a southwest line of said Lot 54 I.T., a distance of 159.79 feet to a point of curvature; thence along a curve in a counter clockwise direction, having a radius of 282.00 feet, arc length of 108.74 feet, delta angle of 22 degrees 05 minutes 35 seconds, a chord bearing of north 57 degrees 37 minutes 55 seconds west along a southwest line of said Lot 54 I.T., and a chord length of 108.07 feet to a point of tangency; thence north 68 degrees 40 minutes 43 seconds west along a southwest line of said Lot 54 I.T., a distance of 25.32 feet to a point of curvature; thence along a curve in a counter clockwise direction, having a radius of 315.50 feet, arc length of 117.41 feet, delta angle of 21 degrees 19 minutes 17 seconds, a chord bearing of north 79 degrees 20 minutes 21 seconds west along a south line of said Lot 54 I.T., and a chord length of 116.73 feet to a point; thence north 00 degrees 00 minutes 00 seconds east, a distance of 3.95 feet to a point; thence north 81 degrees 09 minutes 18 seconds east, a distance of 183.52 feet to a point of curvature; thence along a curve in a clockwise direction, having a radius of 154.60 feet, arc length of 182.94 feet, delta angle of 67 degrees 47 minutes 43 seconds, a chord bearing of south 64 degrees 56 minutes 50 seconds east, and a chord length of 172.45 feet to a point; thence south 50 degrees 53 minutes 25 seconds east, a distance of 232.75 feet to a point; thence along a curve in a counter clockwise direction, having a radius of 137.62 feet, arc length of 285.14 feet, delta angle of 118 degrees 42 minutes 40 seconds, a chord bearing of south 51 degrees 04 minutes 53 seconds east, and a chord length of 236.81 feet to a point; thence along a curve in a clockwise direction, having a radius of 184.20 feet, arc length of 145.13 feet, delta angle of 45 degrees 08 minutes 38 seconds, a chord bearing of south 41 degrees 11 minutes 09 seconds east, and a chord length of 141.41 feet to a point of tangency; thence south 18 degrees 36 minutes 50 seconds east, a distance of 70.92 feet to a point; thence north 67 degrees 20 minutes 06 seconds east, a distance of 36.72 feet to a point of curvature; thence along a

curve in a clockwise direction, having a radius of 45.13 feet, arc length of 103.82 feet, delta angle of 131 degrees 47 minutes 14 seconds, a chord bearing of south 46 degrees 46 minutes 17 seconds east, and a chord length of 82.40 feet to a point of tangency; thence south 19 degrees 07 minutes 21 seconds west, a distance of 106.73 feet to a point of curvature; thence along a curve in a counter clockwise direction, having a radius of 141.83 feet, arc length of 227.79 feet, delta angle of 92 degrees 01 minutes 16 seconds, a chord bearing of south 26 degrees 53 minutes 18 seconds east, and a chord length of 204.08 feet to a point of reverse curvature; thence along a curve in a clockwise direction, having a radius of 20.00 feet, arc length of 29.03 feet, delta angle of 83 degrees 10 minutes 23 seconds, a chord bearing of south 31 degrees 18 minutes 44 seconds east, and a chord length of 26.55 feet to a point of tangency; thence south 10 degrees 16 minutes 28 seconds west, a distance of 26.71 feet to a point; thence north 79 degrees 55 minutes 35 seconds west, a distance of 92.83 feet to a point; thence south 44 degrees 05 minutes 06 seconds west, a distance of 95.17 feet to a point; thence along a curve in a counter clockwise direction, having a radius of 75.00 feet, arc length of 65.76 feet, delta angle of 50 degrees 14 minutes 13 seconds, a chord bearing of south 80 degrees 27 minutes 23 seconds east, and a chord length of 63.67 feet to a point of reverse curvature; thence along a curve in a clockwise direction, having a radius of 173.75 feet, arc length of 59.20 feet, delta angle of 19 degrees 31 minutes 12 seconds, a chord bearing of north 84 degrees 11 minutes 06 seconds east, and a chord length of 58.91 feet to a point of tangency; thence south 86 degrees 03 minutes 17 seconds east, a distance of 97.52 feet to a point of curvature; thence along a curve in a counter clockwise direction, having a radius of 100.00 feet, arc length of 111.81 feet, delta angle of 64 degrees 03 minutes 39 seconds, a chord bearing of north 61 degrees 54 minutes 53 seconds east, and a chord length of 106.07 feet to a point of reverse curvature; thence along a curve in a clockwise direction, having a radius of 200.00 feet, arc length of 88.34 feet, delta angle of 25 degrees 18 minutes 26 seconds, a chord bearing of north 42 degrees 32 minutes 16 seconds east, and a chord length of 87.62 feet to a point of reverse curvature; thence along a curve in a counter clockwise direction, having a radius of 125.00 feet, arc length of 95.15 feet, delta angle of 43 degrees 36 minutes 53 seconds, a chord bearing of north 33 degrees 23 minutes 03 seconds east, and a chord length of 92.87 feet to a point; thence south 34 degrees 57 minutes 43 seconds east, a distance of 102.16 feet to a point; thence north 62 degrees 17 minutes 16 seconds east, a distance of 32.40 feet to a point of curvature; thence along a curve in a clockwise direction, having a radius of 20.00 feet, arc length of 39.30 feet, delta angle of 112 degrees 35 minutes 33 seconds, a chord bearing of south 61 degrees 24 minutes 58 seconds east, and a chord length of 33.28 feet to a point of tangency; thence south 05 degrees 07 minutes 11 seconds east, a distance of 34.27 feet to a point; thence south 43 degrees 16 minutes 31 seconds west, a distance of 91.09 feet to a point; thence along a curve in a counter clockwise direction, having a radius of 58.48 feet, arc length of 147.08 feet, delta angle of 144 degrees 06 minutes 37 seconds, a chord bearing of south 39 degrees 33 minutes 00 seconds west, and a chord length of 111.26 feet to a point of tangency; thence south 32 degrees 30 minutes 19 seconds east, a distance of 64.91 feet to a point; thence south 48 degrees 55 minutes 55 seconds east, a distance of 19.82 feet to a point; thence south 14

degrees 12 minutes 45 seconds east, a distance of 57.67 feet to a point of intersection with the south line of said Lot 54 I.T.; thence north 89 degrees 35 minutes 10 seconds west along the south line of said Lot 54 I.T., said line being 40.00 feet north of and parallel with the south line of said Southwest Quarter, a distance of 704.36 feet to the point of beginning, said tract contains a calculated area of 411,366.68 square feet or 9.44 acres, more or less;

WHEREAS, the real property adjacent to the area included within the site plan for this development of office space will not be adversely affected; and

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

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

That the application of Pioneer Woods, L.L.C., hereinafter referred to as "Permittee", to construct approximately 105,000 sq. ft. of office space on the property legally described above be and the same is hereby granted under the provisions of Section 27.27.080 of the Lincoln Municipal Code upon condition that construction and operation of said office space be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves 105,000 square feet of office floor area.
2. This permit approves the following adjustments to the requirements of Lincoln Municipal Code §§ 27.27.070 and 27.69.044:
 - (a) An adjustment to allow the front yard setback to be measured from back of curb along Pioneer Woods Drive, a private roadway.
 - (b) An adjustment to allow the location of building identification signs to be deleted from the site plan. Their locations shall be determined at the time of building permits.
 - (c) An adjustment to allow zero setbacks on lots which are completely surrounded by an outlet.
3. This permit approves a modification of § 26.31.015 of the Lincoln Municipal Code to permit the Planning Director to approve administrative final plats based on the use permit.
4. The Permittee shall contribute the sum of \$20,000.00 to be utilized by the City for a pedestrian connection to the proposed bike trail on the east side of Antelope Creek. If the City is unable to obtain the necessary permits to construct the pedestrian connection, then the \$20,000.00 may be utilized by the City for the construction of the bike trail on the east side of Antelope Creek.
5. Before receiving building permits:
 - a. The Permittee must submit an acceptable, reproducible final plan with five copies.
 - b. The construction plans must conform to the approved plans.
 - c. Final plats within the area of this special permit must be approved by the City.
6. Before occupying the office buildings, all development and construction must be completed in conformance with the approved plans.
7. All privately-owned improvements must be permanently maintained by the Owner or an appropriately established property owners association approved by the City Attorney.
8. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
9. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its successors and assigns. The building official shall report violations to the City Council which may revoke this use permit or take such other action as may be necessary to gain compliance.
10. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of this use permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a

copy of the resolution approving this use permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by Coleen Seng

Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Werner.

SPECIAL PERMIT 1978 - APPLICATION OF RIDGE DEVELOPMENT COMPANY AND SOUTHVIEW, INC. TO DEVELOP STONE RIDGE APARTMENTS COMMUNITY UNIT PLAN FOR 120 MULTI-FAMILY UNITS AND ONE CLUBHOUSE, WITH A WAIVER OF THE DESIGN STANDARDS FOR STORMWATER DETENTION ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF S. 27TH STREET AND YANKEE HILL ROAD. (IN CONNECTION W/02-129) - CLERK read the following resolution, introduced by Coleen Seng, who moved its adoption:

A-81675 WHEREAS, Ridge Development Company and Southview, Inc. have submitted an application designated as Special Permit No. 1978 for authority to develop Stone Ridge Apartments Community Unit Plan consisting of 120 multi-family units and one clubhouse with a waiver of design standards for storm water detention facilities on property located northwest of the intersection of South 27th Street and Yankee Hill Road, and legally described to wit:

A portion of Lot 81 I.T., located in the Southeast Quarter of Section 24, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, and more particularly described as follows:

Commencing at the southeast corner of said Southeast Quarter; thence on an assumed bearing of north 89 degrees 38 minutes 45 seconds west along the south line of said Southeast Quarter, a distance of 200.34 feet to a point; thence north 00 degrees 21 minutes 15 seconds east, a distance of 33.00 feet to a southeast corner of said Lot 81 I.T., said point being the true point of beginning; thence north 89 degrees 38 minutes 45 seconds west along the south line of said Lot 81 I.T., said line being 33.00 feet north of and parallel with the south line of said Southeast Quarter, a distance of 1,085.04 feet to a southwest corner of said Lot 81 I.T.; thence north 00 degrees 21 minutes 15 seconds east along a west line of said Lot 81 I.T., a distance of 131.55 feet to a point of curvature; thence along a curve in a counter clockwise direction, having a radius of 630.00 feet, arc length of 446.81 feet, delta angle of 40 degrees 38 minutes 08 seconds, a chord bearing of north 19 degrees 57 minutes 49 seconds west along a west line of said Lot 81 I.T., and a chord length of 437.50 feet to a west corner of said Lot 81 I.T.; thence north 49 degrees 44 minutes 40 seconds east along a northwest line of said Lot 81 I.T., a distance of 41.90 feet to a west corner of said Lot 81 I.T.; thence north 28 degrees 01 minutes 29 seconds east along a west line of said Lot 81 I.T., a distance of 341.21 feet to a point; thence along a curve in a counter clockwise direction, having a radius of 1,007.00 feet, arc length of 474.92 feet, delta angle of 27 degrees 01 minutes 18 seconds, a chord bearing of south 75 degrees 23 minutes 47 seconds east, and a chord length of 470.53 feet to a point; thence south 77 degrees 07 minutes 34 seconds east, a distance of 293.13 feet to a point; thence south 00 degrees 02 minutes 09 seconds east, a distance of 115.27 feet to a point; thence south 35 degrees 06 minutes 51 seconds east, a distance of 97.06 feet to a point; thence north 89 degrees 57 minutes 51 seconds east, a distance of 394.09 feet to a point of intersection with the east line of said Lot 81 I.T.; thence south 00 degrees 02 minutes 09 seconds east along the east line of said Lot 81 I.T., said line being 50.00 feet west of and parallel with the east line of said Southeast Quarter, a distance of 428.22 feet to a southeast corner of said Lot 81 I.T.; thence south 89 degrees 57 minutes 51 seconds west along a south line of said Lot 81 I.T., a distance of 10.00 feet to an east corner of said Lot 81 I.T.;

thence south 00 degrees 02 minutes 09 seconds east along an east line of said Lot 81 I.T., said line being 60.00 feet west of and parallel with the east line of said Southeast Quarter, a distance of 20.00 feet to a southeast corner of said Lot 81 I.T.; thence south 45 degrees 09 minutes 33 seconds west along a southeast line of said Lot 81 I.T., a distance of 35.23 feet to a southeast corner of said Lot 81 I.T.; thence north 89 degrees 38 minutes 45 seconds west along a south line of said Lot 81 I.T., a distance of 20.00 feet to a south corner of said Lot 81 I.T.; thence south 00 degrees 21 minutes 15 seconds west along an east line of said Lot 81 I.T., a distance of 10.00 feet to a southeast corner of said Lot 81 I.T.; thence north 89 degrees 38 minutes 45 seconds west along a south line of said Lot 81 I.T., a distance of 94.93 feet to a south corner of said Lot 81 I.T.; thence south 00 degrees 21 minutes 15 seconds west along an east line of said Lot 81 I.T., a distance of 17.00 feet to the point of beginning; said tract contains a calculated area of 862,759.27 square feet or 19.81 acres, more or less;

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

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

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

That the application of Ridge Development Company and Southview, Inc., hereinafter referred to as "Permittee", to develop Stone Ridge Apartments Community Unit Plan consisting of 120 multi-family units and one clubhouse, on the property legally described above, be and the same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that construction and operation of said community unit plan be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves 120 multiple-family units and one associated clubhouse.
2. This permit further approves a waiver of the design standards for storm water detention facilities that requires an outlet to be provided that will allow a retention facility to be completely drained in order to allow for silt removal, maintenance, or inspection.
3. Before receiving building permits:
 - a. The Permittee must submit a revised and reproducible final plan and five copies.
 - b. The construction plans must conform to the approved plans.
4. Before occupying the dwelling units and clubhouse all development and construction must be completed in conformance with the approved plans.
5. All privately-owned improvements must be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
6. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
7. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, their successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.
8. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by Coleen Seng

Seconded by Svoboda & carried by the following vote: AYES: Camp,

Cook, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Werner.

PETITIONS & COMMUNICATIONS

THE FOLLOWING WERE REFERRED TO PLANNING DEPT.:

- Use Permit No. 89A - App. of Northern Lights L.L.C., John Brager, for property at S. 14th Street & Pine Lake Road.
Change of Zone 3372 - App. of Believers Fellowship from R-3 to H-3 at 40th & Superior Street.
Special Permit 1985 - App. of Alonzo & Marijane Athey to expand & reconstruct a nonconforming use at 9400 Yankee Hill Road.
Special Permit 1984 & Waiver of Design Standards - App. of David L. & Doreen K. Miller to provide a paved parking lot in R-6 zoning at 1537 South 17th Street.
Use Permit 43B - App. of Capitol Sign Co. to change sign locations in the O-3 Zone at 3421 N. 35th St.
Special Permit 1691A & Waiver of Design Standards - App. of Canyon Homes, L.L.C. to create 16 lots that were shown as future lots in the previously approved Special Permit at South 56th Street & Shadow Pines Drive.
Special Permit 1976 - App. of ESP for Community Unit Plan at North 56th Street & Waverly Road.

INFORMAL REQUEST FOR PAVING OF A GRAVEL (EAST/WEST) ALLEY LOCATED BETWEEN 26TH STREET & 27TH STREET; & BETWEEN Q STREET & R STREET SUBMITTED BY WAYNE BENSON - CLERK presented said petition which was referred to the Public Works Dept.

REPORTS OF CITY OFFICERS

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED BY COUNCIL ON AUGUST 12, 2002 - CLERK presented said report which was placed on file in the Office of the City Clerk.

INVESTMENT OF FUNDS FOR AUGUST 12 THROUGH AUGUST 16, 2002 - CLERK read the following resolution, introduced by Ken Svoboda, who moved its adoption:
A-81673 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council.

Introduced by Ken Svoboda

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Werner.

ORDINANCES - 1ST READING - NONE

ORDINANCES - 3RD READING

CHANGE OF ZONE 3368 - APPLICATION OF PIONEER WOODS, L.L.C. FOR A CHANGE OF ZONE FROM R-3 RESIDENTIAL TO O-3 OFFICE PARK ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF S. 70TH STREET AND PIONEERS BLVD. (In connection w/02R-170) - CLERK read an ordinance, introduced by Annette McRoy, for a Change of Zone 3368 - Application of Pioneer Woods, L.L.C. for a change of Zone from R-3 Residential to O-3 Office Park on property generally located at the Northeast Corner of S. 70th Street and Pioneers Blvd., the third time.

MCROY Moved to pass the ordinance as read.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Werner.

The ordinance, being numbered #18060, is recorded in Ordinance Book 25, Page

CHANGE OF ZONE 3369 - APPLICATION OF RIDGE DEVELOPMENT COMPANY AND SOUTHVIEW INC. FOR A CHANGE OF ZONE FROM AG AGRICULTURAL TO R-4 RESIDENTIAL ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF SOUTH 27TH STREET AND YANKEE HILL ROAD. (In connection w/02R-169) - CLERK read an ordinance, introduced by Annette McRoy, for a Change of Zone 3369 - Application of Ridge Development Company and Southview Inc. for a change

of zone from AG Agricultural to R-4 Residential on property generally located at northwest of the intersection of South 27th Street and Yankee Hill Road, the third time.

SENG Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Werner.
The ordinance, being numbered #18061, is recorded in Ordinance Book 25, Page

APPROVING A SUBLEASE AGREEMENT BETWEEN THE CITY AND THE STATE OF NEBRASKA DAS/STATE BUILDING DIVISION ON BEHALF OF HEALTH AND HUMAN SERVICES FOR A SUBLEASE OF SPACE AT 1010 N STREET TO PROVIDE JOB TRAINING AND EMPLOYMENT SERVICES UNDER THE WORKFORCE INVESTMENT ACT - CLERK read an ordinance, introduced by Annette McRoy, approving a sublease agreement between the City and the State of Nebraska DAS/State Building Division on behalf of Health and Human Services for a sublease of space at 1010 N Street to provide job training and employment services under the Workforce Investment Act, the third time.

MCROY Moved to pass the ordinance as read.
Seconded by Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Werner.
The ordinance, being numbered #18062, is recorded in Ordinance Book 25, Page

MISCELLANEOUS BUSINESS

PENDING LIST -

CAMP Moved to extend the Pending List to September 9, 2002.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda; NAYS; None; ABSENT: Werner.

UPCOMING RESOLUTIONS

CAMP Moved to approve the resolutions to have Public Hearing on September 9, 2002.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda; NAYS; None; ABSENT: Werner.

ADJOURNMENT

4:45 P.M.

CAMP Moved to adjourn the City Council meeting of August 26, 2002.
Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Seng, Svoboda; NAYS: None; ABSENT: Werner.
So ordered.

Joan Ross, City Clerk

Judy Roscoe, Office Assistant III

