

**DIRECTORS' MEETING  
MONDAY, JUNE 13, 2005 - 11:00 A.M.  
CONFERENCE ROOM 113**

**I. MAYOR**

1. NEWS ADVISORY - RE: Mayor Coleen Seng and officials from Tier One Bank, Cornhusker Bank, StarTran and the Federal Transit Administration will launch a new housing initiative at 2:30 p.m. on June 7<sup>th</sup> at Cornhusker Bank -(See Advisory)
2. NEWS RELEASE - RE: Initiative Promotes Home Ownership and Public Transit -(See Release)
3. NEWS RELEASE - RE: Swimming And Wading Prohibited At Holmes Lake -(See Release)
4. NEWS RELEASE - RE: Dust Control Project To Close Sections Of 98<sup>th</sup> Street -(See Release)
5. NEWS RELEASE - RE: City Garages And Lots, Haymarket Offer Parking Alternatives For NCAA Super Regional Baseball Fans -(See Release)

**II. DIRECTORS**

**PLANNING**

1. Letter from Tom Cajka to Lyle Loth, ESP - RE: Village Pointe at Capitol Beach Final Plat #04130-Generally located at Lamont Dr. and W. Industrial Lake Dr. -(See Letter)
2. Memo from Marvin Krout - RE: Demolition of historic houses at 1137 and 1139 South 7<sup>th</sup> Street -(See Memo)
3. Letter & Material from Marvin Krout - RE: Comprehensive Plan/Long Range Transportation Plan Update -(See Material)
4. Memo & Map from David Cary - RE: Boosalis Park and Northbank Junction Development Map -(See Material)

## **PLANNING COMMISSION FINAL ACTION .....**

1. Special Permit #05023 and Use Permit #140B - DENIED-Expansion of Appian Way (Prairie Lake) to allow 18-screen theater complex (S. 91<sup>st</sup> and Pine Lake Road).
2. Special Permit #04067 and Use Permit #139A - Stone Bridge Creek Villas Community Unit Plan (South of Humphrey Avenue and northwest of the I-80 & No. 27<sup>th</sup> Street interchange) Resolution No. PC-00929 and PC-00930.

## **PUBLIC WORKS & UTILITIES**

1. Public Works & Utilities ADVISORY - RE: Sidewalk Repair Advisory-South Salt Creek Neighborhood Area-Project #702169 -(See Advisory)
2. 2005 Floodplain Mapping -(See Map)

## **III. CITY CLERK**

## **IV. COUNCIL**

### **A. COUNCIL REQUESTS/CORRESPONDENCE - NONE**

## **V. MISCELLANEOUS**

1. Letter from Dave Fowler, Lincoln Musician - RE: Would like to express his appreciation to the City Council for sending the smoking ban to Lincoln voters -(See Letter)
2. Letter from Virginia K. Wright MS, Lincoln Neighborhood Alliance, Couches on Porches Sub-Committee - RE: The topic of “couches on porches” -(See Letter)
3. 2 -E-Mail’s from Art Kavan; Jeff Kimble; - RE: Wal-Mart - (See E-Mail’s)

4. E-Mail from Ken Kiewra - RE: Lowe's proposal -(See E-Mail)
5. Letter from Kenneth A. Kiewra, Country Meadows Resident - RE: Proposed Lowe's Development -(See Letter)
6. Response E-Mail & Map from Thomas S. Shafer, P.E., Design/Construction Manager, Public Works & Utilities Department to Mr. King - RE: 80<sup>th</sup> & Pioneers -(See Material)
7. Memo & Map from David Cary, Transportation Planner, City-County Planning Department - RE: Boosalis Park and Northbank Junction Development Map -(See Material)
8. E-Mail from Karl Detweiler - RE: Lack of Revenue -(See E-Mail)
9. E-Mail from Kevin - RE: Wal-Mart -(See E-Mail)
10. Letter from David D. Babcock - RE: Townhouse development proposal for the O-3 zoned property at the Northwest corner of South 40<sup>th</sup> St. and Grainger Parkway-(See Letter)
11. Letter from Melinda Kramer - RE: Hartland's Garden Valley Community Unit Plan-Special Permit #05015 -(See Letter)
12. Letter from LINWELD, INC. - RE: August 1, 2005 Proposed Rate Increase -(See Letter)
13. Letter & Material from Jane Raybould, Director of Buildings & Equipment, B&R Stores, Inc. - RE: "Thank-you" for your vote against changing the comprehensive plan that would have allowed Wal-Mart at 84<sup>th</sup> & Adams - (See Material)
14. E-Mail from Teresa Mulkey Predmore - RE: Super Wal-Mart -(See E-Mail)

## **VI. ADJOURNMENT**

da061305/tjg

**DIRECTORS' MEETING  
MINUTES  
MONDAY, JUNE 13, 2005  
CONFERENCE ROOM 113**

**Council Members Present:** Ken Svoboda, Chair; Patte Newman, Vice-Chair; Annette McRoy, Jon Camp, Robin Eschliman, Dan Marvin.

**Council Member Absent:** Jonathan Cook

**Others Present:** Mayor Coleen Seng (Absent), Mark Bowen, Ann Harrell, Lin Quenzer, Darl Naumann, Rick Hoppe, Mayor's Office; Deputy City Clerk, Teresa Meier-Brock; Dana Roper, City Attorney; Directors and Department Heads; Tammy Grammer, City Council Staff and Deena Winter, Lincoln Journal Star Representative.

**I. MAYOR**

[Mayor Coleen Seng not present.] Mark Bowen noted the Mayor is on her way back this morning from a family trip, she will be returning to the office this afternoon.

Mark Bowen called on Directors. Lynn Johnson (Parks & Recreation) reported on the Annual Veterans Garden, they do a dedication of that every year. They dedicated the new Bricks of Remembrance and sometimes a new memorial, but they did not have a new memorial in the garden this year. They probably had 50 to 60 people there and this year the highlight was having Governor Heineman and Senator Nelson there to speak. It was a really nice event.

Regarding the West Van Dorn Plaza issue they meet with DaNay Kalkowski and Don Linscott on Friday morning. They've got a plan laid out as to how they would layout the screening around the north and south side of their side on the corner of Coddington & Van Dorn. So, they will have a Motion-To-Amend with that to include the landscaping to allow the City to plant and maintain landscaping plantings on that property.

Mr. Svoboda asked how was the dedication of the bricks in Veterans Garden advertised? He doesn't remember seeing anything for it, it was not on their attend sheet and they bought two new bricks this year and did not even know they were having an event. Lynn Johnson replied the veterans, it's kind of us working with them and their Veterans Memorial Garden Advisory Council. There

is a working sub-committee who does events and they've had a couple of fumbles. Mr. Svoboda commented if they are volunteers, he can understand that. Mr. Johnson stated they will work on that because they track all of the donations that come in for that event. They can send out letters and invitations for the event and thanked Ken (Svoboda) for letting him know.

June Pederson (Aging Services) reported they had the 11<sup>th</sup> Annual LifeLong Living Festival for the 2<sup>nd</sup> year at the Abbott Sports Complex from 9:00 a.m. to 3:00 p.m. and it went beautifully. They learned lots last year about how to set it up. The parking lots were absolutely packed and they utilized their rural transit vans to go out and pick up people like they do at the hospital parking lots so people did not have to walk. They don't have a formal count yet but last year they had almost 2,500 people, she thinks it was a little lower this year. They had a huge crowd at 9:00 a.m. they were lined up outside waiting to come in. There was a Vintage Car Show which gave a lot of prizes and they recognized former Mayor Helen Boosalis for her 9 years of service on the Seniors Foundation Board.

Mark Bowen stated this morning he was over helping representatives with former governor and U.S. Senator Jim Exon's funeral this coming week. It will be on Wednesday at 4:00 p.m. at the State Capitol Rotunda, he will lie in state on Tuesday from Noon to 8:00 p.m. The Police Department and State Patrol is working together on traffic control for that day and he believes State of Nebraska is going to work with providing additional parking around the State Capitol.

1. NEWS ADVISORY - RE: Mayor Coleen Seng and officials from Tier One Bank, Cornhusker Bank, StarTran and the Federal Transit Administration will launch a new housing initiative at 2:30 p.m. on June 7<sup>th</sup> at Cornhusker Bank -(See Advisory). — NO COMMENTS
2. NEWS RELEASE - RE: Initiative Promotes Home Ownership and Public Transit. — NO COMMENTS
3. NEWS RELEASE - RE: Swimming And Wading Prohibited At Holmes Lake. — NO COMMENTS
4. NEWS RELEASE - RE: Dust Control Project To Close Sections Of 98<sup>th</sup> Street. — Ms. Newman commented she's wondering how the 98<sup>th</sup> Street dust control project went right before the rain. Karl Fredrickson replied he's not sure they even got started before the rain came. He thinks they are continuing it this week.

5. NEWS RELEASE - RE: City Garages And Lots, Haymarket Offer Parking Alternatives For NCAA Super Regional Baseball Fans. — NO COMMENTS

## **II. DIRECTORS -NO FURTHER COMMENTS**

### **PLANNING**

1. Letter from Tom Cajka to Lyle Loth, ESP - RE: Village Pointe at Capitol Beach Final Plat #04130-Generally located at Lamont Dr. and W. Industrial Lake Drive. — NO COMMENTS
2. Memo from Marvin Krout - RE: Demolition of historic houses at 1137 and 1139 South 7<sup>th</sup> Street. — [Mr. Marvin brought up this memo during his comments under “IV. Council-A. Council Requests/Correspondence”.] (See that discussion)
3. Letter & Material from Marvin Krout - RE: Comprehensive Plan/Long Range Transportation Plan Update. — NO COMMENTS
4. Memo & Map from David Cary - RE: Boosalis Park and Northbank Junction Development Map. — NO COMMENTS

### **PLANNING COMMISSION FINAL ACTION .....**

1. Special Permit #05023 and Use Permit #140B - DENIED-Expansion of Appian Way (Prairie Lake) to allow 18-screen theater complex (S. 91<sup>st</sup> and Pine Lake Road). — NO COMMENTS
2. Special Permit #04067 and Use Permit #139A - Stone Bridge Creek Villas Community Unit Plan (South of Humphrey Avenue and northwest of the I-80 & No. 27<sup>th</sup> Street interchange) Resolution No. PC-00929 and PC-00930. — NO COMMENTS

### **PUBLIC WORKS & UTILITIES**

1. Public Works & Utilities ADVISORY - RE: Sidewalk Repair Advisory-South Salt Creek Neighborhood Area-Project #702169 -(See Advisory). — NO COMMENTS
2. 2005 Floodplain Mapping -(See Map). — NO COMMENTS

### III. CITY CLERK

Deputy City Clerk Teresa Meier-Brock stated Joan (Ross) is here today but still under the weather yet, so she will be taking the Council Meeting for her.

Deputy City Clerk Teresa Meier-Brock stated on the Agenda today, Items 8 through 12 will be called together. [*#8, 05-64, Annexation 05006; #9, 05R-113, Approving the Hartland's Garden Valley Addition Conditional Annexation & Zoning Agreement ...; #10, 05-65, Change of Zone 05024; #11, 05R-109, Appeals of...; and #12, 05-66, Vacation 05002.... (See Formal Council Agenda of June 13<sup>th</sup> for further descriptions of these Items.)*]

Items 14 & 15 will be called together. [*#14, 05-68, Change of Zone 05019-Amending Section 27.83.010 of the Lincoln Municipal Code to establish that the requirements of the Build-Through Acreage (BTA) Overlay District only apply to application for development submitted after October 25, 2004.; and #15, 05-71, Misc. 05006-Amending the Lincoln Municipal Code by adding a new Section 26.15.070 to establish that Build-Through standards apply to all developments requiring a subdivision within the Build-Through Acreage (BTA) Overlay District.*]

Items 16, 17 & 18 will be called together. [*#16, 05-69, Annexation 05007-Amending the Lincoln Corporate Limits Map by annexing approximately 26.1 acres of property generally located at S. 93<sup>rd</sup> Street and Old Cheney Road.; #17, 05R-112, Approving the Ravenwood Conditional Annexation and Zoning Agreement between the City and Ironwood Estates, LLC, Alan Fluckey, and Susan Chadwick relating to the annexation of approximately 26.1 acres, generally located at 93<sup>rd</sup> Street and Old Cheney Road.; and #18, 05-70, Change of Zone 05025, Application of Ironwood Estates, LLC for a change from AG Agricultural District to R-3 Residential District on property generally located at S. 93<sup>rd</sup> Street and Old Cheney Road.*]

For Item 11 they have a Motion-To-Amend. [*#11, 05R-109, Appeal of Keith Spilker, Donald W. Spilker, Larry Odgen, Bruce A. Spilker, Annabelle Neemann, Melinda Kramer, Betty King, Kahleen Zimmer and Charley Vogel from the Planning Commission approval of Special Permit 05015 to develop Hartland's Garden Valley Community Unit Plan for 326 dwelling units, with requested waivers of the required preliminary plat process, to allow blocks to exceed maximum block lengths, to reduce average lot width, to reduce lot area, to allow*

*double frontage lots, to eliminate pedestrian easements, to allow streets to be paved without curb and gutter and to allow sanitary sewer to flow opposite street grades, on property generally located west of N. 14<sup>th</sup> Street and north of Fletcher Ave.]*

For Items 37 & 41 they have Motions-To-Amend. The Motion-To-Amend for Item 41 was in Council's Legislative packets and Motion-To-Amend for Item 37 is the one she just handed out to Council. [*#37, 05R-100, Use Permit 133-Application of Stockwell Properties and R.C. Krueger Development Company to develop approximately 40,000 square feet of office and commercial floor area, with requested waivers of the required preliminary plat process, front and side yard setbacks, paving with curb and gutter, sidewalks, the requirement that all lots have frontage and access to a public street or private roadway, minimum lot frontage for a ground sign, signs in the front yard, signs more than 30 feet from a building, street trees, landscaping, and parking in the front yards, on property generally located northeast, southeast, and southwest of the intersection of West Van Dorn Street and South Coddington Ave.; and #41, 05-60, Change of Zone 05026-Application of Apple's Way and Uno Properties for a change from AG Agricultural District to R-1 Residential and B-2 Planned Neighborhood Business District, with a Planned Unit Development District designation, for development of approximately 32 dwelling units and 235,000 sq. ft. of commercial floor area, on property generally located at S. 66<sup>th</sup> Street and Highway 2.]*

Ms. McRoy stated she was going to request from the Police Department the incident reports for Item 3 because she believes through the Internal Liquor Committee they have had some discussion on that establishment. (No one present from the Police Dept.) She wanted an update on it, so she will contact Investigator Fosler over lunch and get the reports. [*#3-Application of 13339 "O" Street, Inc. dba Brothers Est 1967 for an addition of an L-shaped outdoor sidewalk café area measuring 11' by 85' at the northeast corner of the building, plus basement for storage, to its presently licensed premise at 1339 "O" Street.]*

Mr. Camp stated for Item 41 he had asked the applicant for an amendment on the easement. Mr. Camp asked Dana (Roper) if he received a copy of it from Tom Houston? Mr. Roper replied yes, he thinks they had several amendments that he was going to offer and as far as he knows the Planning Department had no objections to any of those. [*Item #41, 05-60, Change of Zone 05026-Application of Apple's Way and Uno Properties for a change from AG Agricultural District to R-1 Residential and B-2 Planned Neighborhood Business District, with a Planned Unit Development District designation, for development of approximately 32 dwelling units and 235,000 sq. ft. of commercial floor area, on property generally located at S. 66<sup>th</sup> Street and Highway 2.]*



#### **IV. COUNCIL**

##### **A. COUNCIL REQUESTS/CORRESPONDENCE - NONE**

##### **ANNETTE McROY - NO COMMENTS**

##### **DAN MARVIN -**

Mr. Marvin stated regarding the memo from Marvin Krout on the demolition of historic houses at 1137 & 1139 South 7<sup>th</sup> Street, he read through it and would like someone to discuss it in regards to the [inaudible]. Ray Hill stated he will talk to Ed Zimmer and get back to him, but he thinks the [inaudible] may have been on a national registry of something that may make them a little different. Ann Harrell commented the primary designation is the three houses that he is speaking of with regard to the Antelope Valley project are specifically identified in our memorandum of agreement with the Federal Government. Where as the houses in Russian Bottoms don't have near that level of designation, in fact, they were not even designated as eligible, very different levels of designation occurred there. Mr. Marvin commented he understands there is differences. But, what he is most interested in is flushing out the legal protections that these three houses have and understanding that to find out if there is some negotiation of effort to navigate through and not necessarily retain those houses. Mark Bowen stated they are doing some of that discussion now. Ms. Harrell noted they will have Ed (Zimmer) here later to talk a little bit about the houses in the Russian Bottoms as well. [Copy of Memo on file in the City Council Office.]

##### **PATTE NEWMAN -**

Ms. Newman commented she always seems to get the interesting questions and doesn't know who to ask on this one. Someone asked if it was legal to run a down spout from a house eight feet in the air, curve it and have it end at the property line of a neighbors house so when it rains the water shots out into the neighbors yard. Ms. Newman noted they have done it already. Mike Merwick responded give me the address and he will check on it. Dana Roper said they will check and see if there is some building regulation that this violates. But, he suspects that they have a private lawsuit about changing the drainage and dumping the water on their neighbor.

Ms. Newman asked Dana Roper if he received any information from Judy Troutman? She is on the claims this week and she apparently called Jonathan Cook and she can not be here today and wants a delay. Mr. Roper replied no. Ms. Newman stated okay, she will ask to delay this claim.

Ms. Newman stated she would like to talk to Bruce Dart after the Directors' Meeting today.

## **JON CAMP - NO COMMENTS**

## **ROBIN ESCHLIMAN**

Ms. Eschliman stated one issue that is apparently going to be coming before them which would be the 7<sup>th</sup> & "K" building. It seems to her that they have three different issues they will be dealing with, one is a philosophical issue of should they sell a government building or not; second what is the current building worth; and third what would relocation cost be. With this customer coming forward and wanting to do this, she felt it might be helpful to go out into the open market and see if there were any possible locations in which they even could relocate the existing tenants within the private sector. She knows one thing that had been discussed is to build a building for them to put them in, but she begins to wonder if there is something out there already. If there is something out there that will tell them two things, one what is the current value of the building and two it will help them determine what relocation cost would be involved and if it is even feasible to do this. So, she has sent to our Commercial Brokers Committee a request for sites and have received word back from eight of them with private sector sites that they would like to see presented in the event they want to explore this a little bit further. Her personal philosophy on this and doesn't know if her Council colleagues share this with her or not, but she would like to may be bring it up is if they do want to examine this possibility. It is her feeling that the State and Public Schools make these kind of things public maybe the City should do the same. So, she has a file for Don Herz which has the eight commercial brokers and the sites they have selected which contains the buildings that are on the market. If nothing else, she thinks it would give them an idea of what our current building is worth and then again it could give them some in site as to what it would cost to relocate these tenants. If in fact, they decide to pursue this offer from this customer of the City. Ms. Eschliman presented the material to Don Herz.

Mr. Svoboda stated to Mark Bowen would there be a formal RFP for something like that when and if that comes forward. Mr. Bowen stated the 24<sup>th</sup> is the deadline for people expressing interest in the building beyond the one they've got, it's private interest. The County did ask at one of their staff meetings a couple weeks ago if the County could

buy the building. On the 24<sup>th</sup> when those are all in and the Mayor can see what interest is out there at that point she will decide to go to RFP or if it's not worth pursuing anymore or what the next step is. Ann Harrell commented the Mayor asked Vince Mejer to be sort of the point of contact for people, he worked with the Law Department to put together a brief summary of expectations that if people wanted to make a bid [inaudible]. Mr. Svoboda commented okay, he thinks any other questions or comments can be directed to the Mayor's Office.

**JONATHAN COOK - ABSENT**

**KEN SVOBODA - NO COMMENTS**

**V. MISCELLANEOUS**

1. Letter from Dave Fowler, Lincoln Musician - RE: Would like to express his appreciation to the City Council for sending the smoking ban to Lincoln voters. — NO COMMENTS
2. Letter from Virginia K. Wright MS, Lincoln Neighborhood Alliance, Couches on Porches Sub-Committee - RE: The topic of "couches on porches". — NO COMMENTS
3. 2 -E-Mail's from Art Kavan; Jeff Kimble; - RE: Wal-Mart. — NO COMMENTS
4. E-Mail from Ken Kiewra - RE: Lowe's proposal. — NO COMMENTS
5. Letter from Kenneth A. Kiewra, Country Meadows Resident - RE: Proposed Lowe's Development. — NO COMMENTS
6. Response E-Mail & Map from Thomas S. Shafer, P.E., Design/Construction Manager, Public Works & Utilities Department to Mr. King - RE: 80<sup>th</sup> & Pioneers. — NO COMMENTS
7. Memo & Map from David Cary, Transportation Planner, City-County Planning Department - RE: Boosalis Park and Northbank Junction Development Map. — NO COMMENTS
8. E-Mail from Karl Detweiler - RE: Lack of Revenue. — NO COMMENTS

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11. Letter from Melinda Kramer - RE: Hartland's Garden Valley Community Unit Plan-Special Permit #05015. — NO COMMENTS
12. Letter from LINWELD, INC. - RE: August 1, 2005 Proposed Rate Increase. — NO COMMENTS
13. Letter & Material from Jane Raybould, Director of Buildings & Equipment, B&R Stores, Inc. - RE: "Thank-you" for your vote against changing the comprehensive plan that would have allowed Wal-Mart at 84<sup>th</sup> & Adams. — NO COMMENTS
14. E-Mail from Teresa Mulkey Predmore - RE: Super Wal-Mart. — NO COMMENTS

### **ADDENDUM - (For June 13<sup>th</sup>)**

#### **I. MAYOR**

1. NEWS RELEASE - RE: Public Invited To Learn About Harris Overpass Replacement Project. — NO COMMENTS
2. NEWS ADVISORY - RE: Mayor Coleen Seng and the Joint Antelope Valley Authority invite members of the media, including editors, to a guided bus tour highlighting the Antelope Valley Project's latest developments: (See Advisory). — NO COMMENTS
3. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of June 11 through 17, 2005-Schedule subject to change -(See Advisory). — NO COMMENTS

#### **II. CITY CLERK - NONE**

### **III. CORRESPONDENCE**

#### **A. COUNCIL REQUESTS/CORRESPONDENCE - NONE**

#### **B. DIRECTORS AND DEPARTMENT HEADS**

##### **PLANNING**

1. E-Mail from Ray Hill - RE: 05R-109 - Hartland's Garden Valley - small lots and waiving flood corridors (Response to questions from Council member Robin Eschliman). — NO COMMENTS

##### **URBAN DEVELOPMENT**

1. Memo & Material from Marc Wullschleger - RE: Annual Action Plan and 2005-2009 Strategic Plan Submitted for City Council Review -(Council copies placed in their file folders on 6/13/05)(Copy of Material on file in the City Council Office). — NO COMMENTS

#### **C. MISCELLANEOUS**

1. E-Mail from John Espenschade - RE: Please do no change Southeast Subarea Plan. — NO COMMENTS
2. E-Mail from Dwain & Carol Leonhardt - RE: Lowe's - Apple Way Property Zoning. — NO COMMENTS
3. Letter & Article - RE: Wal-Mart. — NO COMMENTS

[End of Addendum]

### **VI. MEETING ADJOURNED - Approximately at 11:37 a.m.**

dm061305/tjg