DIRECTORS’ MEETING
MONDAY, MAY 14, 2007
11:00 A.M.
COUNTY/CITY BUILDING
CONFERENCE ROOM 113

I. MAYOR
1. NEWS RELEASE. Mayor Presents Award of Excellence for April to a team from the Lincoln Police Department on May 7, 2007.
2. NEWS ADVISORY. Mayor Seng, with Lincoln Water System officials and Mayor’s Water Conservation Task Form members’ news conference, Thursday, May 10th, 10:00 am at the Lincoln Water System office, 2021 No. 27th Street.
3. NEWS RELEASE. Mayor announces winners of Annual Water Conservation Art Contest.
4. NEWS RELEASE. Mayor Seng and the Water Conservation Task Force dedicate Waterwise Garden at 2021 No. 27th Street.
5. NEWS RELEASE. Mayor calls for voluntary water conservation.

II. DIRECTORS

HEALTH DEPARTMENT
2. Lincoln-Lancaster County Health Department Physician Advisory regarding Shigellosis.

PLANNING COMMISSION FINAL ACTION

PLANNING DEPARTMENT
1. Response to Mr. Tony Young on his letter with comments and concerns relating to roads and traffic issues in the Fallbrook area.
2. Invitation to the Capital Improvements Program (CIP) “Planning Commission Briefing”, Wednesday, May 9, 2007 from 11:45 am to 12:45 pm at the County-City Building, Room 113.
PUBLIC WORKS AND UTILITIES
1. ADVISORY. Water main project #700297. Northwest 56th Street from Fletcher Avenue north approximately 1000 feet.
2. ADVISORY. Storm drainage project #702264t to start. 70th Street and A Street - Brentwood Estates.
3. Memorandum from Nicole Fleck-Tooze. Item 07R-102; Amendments to the Design Standards for Construction Site Discharges.

URBAN DEVELOPMENT

III. CITY CLERK

IV. COUNCIL REQUESTS/CORRESPONDENCE

ANNETTE McROY
1. Request to Mike Merwick, Building & Safety Director; Michaela Hansen, Public Works & Utilities-Impact Fee Administrator - RE: Property at 543 Lamont (McRoy RFI#178 - 04/27/07) - SEE RESPONSE FROM MIKE MERWICK, BUILDING AND SAFETY DEPARTMENT DIRECTOR ON MCROY RFI#178.

PATTE NEWMAN
1. Email from John Rink questioning burned home at 926 South 10th Street and asking for assistance to resolve vandalism occurring.

V. MISCELLANEOUS
1. Email from Tony Young, with attachments for the CIP “Planning Commission Briefing”
   1a. Aerial photo of area in Mr. Young’s email; and
   1b. Letter to the City of Lincoln, Planning Department, regarding traffic concerns in the Fallbrook area and Highway 34 and No. Fletcher Intersection.
2. Email from Shannon McGovern supporting drag racing with attachments of:
   2a. NHRA Youth & Education Services; and
   2b. NHRA Serving and Educating the Youth of America Through Drag Racing.
3. Email from Shannon McGovern with program suggestion for our area attachment:
4. Email from Shannon McGovern with attachments regarding Lancaster County had land zoned for a race track:
   4a. Application for Special Permit, #254, March 29, 1963; and
5. Email from Bob Hallstrom, NBA General Counsel, regarding the neglected building ordinance. (Copy distributed to City Council Members on 05/07/07)
6. Email from Ross Wunderlich regarding paving of gravel roads with the City limits and sharing the cost.
7. Email from Darin Rich regarding proposed acreage development at 134th and A Streets.
9. Email from Lynn Darling. Proposed building code change seriously needed.
MAYOR PRESENTS AWARD OF EXCELLENCE FOR APRIL

Mayor Coleen J. Seng today presented the Mayor’s Award of Excellence for April to a team from the Lincoln Police Department: Sergeant Michael Bassett, Officers Cassandra Johnson and Megan Schreiner and former Officer Zachary Byers. The monthly award recognizes City employees who consistently provide exemplary service and work that demonstrates personal commitment to the City. The award was presented at the beginning of today’s City Council meeting.

The team was nominated by Police Captain Bob Wilhelm in the categories of productivity and customer relations for their efforts to reduce prostitution and narcotics activity in the Everett, Near South and Capitol Avenue neighborhoods. After the problems were discussed in a 2006 sergeants’ meeting, Bassett stepped forward to lead his night shift officers and the southwest team in the enforcement effort.

Schreiner, Johnson, and Byers were trained and equipped to take on the problems. Undercover officers, both male and female, worked to arrest prostitutes and their customers. Wilhelm wrote that these details are extremely dangerous and distasteful for the officers. They are placed in one-on-one situations with people who can be desperate, and they are required to think on their feet and improvise. They must conduct themselves in ways that don’t expose their cover, compromise safety or jeopardize prosecutions.

In a five-month period, the team made ten arrests for prostitution, 18 arrests for soliciting prostitution and pandering and one arrest for the sale of a controlled substance. Wilhelm said the team’s efforts and hard work had a tremendous and noticeable impact on the activities in the targeted areas. Neighborhood residents commented that the street-side transactions had stopped or dramatically decreased, and one wrote a letter thanking the officers for their effort. Wilhelm said the attitude of cooperation and team work resulted in an successful detail.

Other categories in which employees can be nominated are loss prevention, safety and valor. All City employees are eligible for the Award of Excellence except for elected officials and some managers. Individuals or teams can be nominated by supervisors, peers, subordinates and the general public.

Nomination forms are available from department heads, employee bulletin boards or the Personnel Department, which oversees the awards program. All nominations are reviewed by the Mayor’s Award of Excellence Committee, which includes a representative with each union and a non-union representative appointed by the Mayor. Award winners receive a $100 U.S. savings bond, a day off with pay and a plaque. Monthly winners are eligible to receive the annual award, which comes with a $500 U.S. savings bond, two days off with pay and a plaque.
Mayor Coleen J. Seng will be joined by Lincoln Water System (LWS) officials and members of the Mayor’s Water Conservation Task Force at a news conference at **10 a.m. Thursday, May 10** at the **Lincoln Water System office, 2021 N. 27th St.**

At the news conference, the Mayor will:
- announce the winners of the annual Mayor’s Water Conservation Task Force fifth grade poster contest.
- join with the task force in dedicating the LWS “waterwise” exhibit garden.
- provide an update on the status of the City’s water supply and conservation efforts as the summer approaches.

In case of inclement weather, the news conference will be moved inside the Lincoln Water System facility.
FOR IMMEDIATE RELEASE: May 10, 2007
FOR MORE INFORMATION: David Norris, Citizen Information Center, 441-7547
Jerry Obrist, Lincoln Water System, 441-7571

MAYOR ANNOUNCES WINNERS OF ANNUAL WATER CONSERVATION ART CONTEST

Mayor Coleen J. Seng today announced the winners of the annual water conservation busboard contest. Lincoln fifth-graders participated in the art contest, sponsored by the Mayor's Water Conservation Task Force. The winning entry was submitted by Katelyn Ziemer from Hawthorne Elementary School. Her artwork will be displayed on a StarTran busboard.

"This annual contest is a terrific way to display the artistic talents of our young people while at the same time, helping to introduce them to the idea that we need to be good stewards of our natural resources and the environment in general," said Mayor Seng. "Through this effort, our Water Conservation Task Force is reinforcing good water conservation practices for our young people and helping them understand that we need to value and cherish our natural resources in their lifetime. This sets a good example for future generations to follow. It's our responsibility that we try to reinforce and help pass on to our younger generation."

Second place was awarded to Tyler Minter of Morley Elementary. Third place winners were Kaitlin Smith of Holmes Elementary and Beth Loos of Hill Elementary. Honorable mention awards were presented to Gwen Plouzek, Holmes Elementary; Peter Masinelli, Morley Elementary; Dylan Guyer, Hill Elementary; Liz Franssen, Lakeview Elementary; Alondra Rodriguez Szczesny, Hawthorne Elementary; Katie Rice, Hawthorne Elementary; and Kimberly Kastler, Hawthorne Elementary.

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MAYOR SENG AND FORCE DEDICATE WATERWISE GARDEN

Mayor Coleen J. Seng was joined today by members of the Mayor’s Water Conservation Task Force (WCTF) in dedicating the “waterwise” landscape exhibit garden at the Lincoln Water System (LWS) to the citizens of Lincoln. The garden, located at 2021 N. 27th St., is open to the public.

“This garden provides a great example of how homeowners and businesses can help conserve water by planting drought-tolerant plants without compromising the beauty of their landscape,” said Mayor Seng. “These plants will continue to bloom and grow with limited watering and will go into survival mode in times of severe drought.”

The WCTF has produced a brochure listing plant materials that require less water and can handle drought much better than other plants. The waterwise exhibit garden contains a variety of plants included in the brochure and several others installed on a trial basis. A complete listing can be found on the WCTF section of the City Web site at lincoln.ne.gov (keyword: conserve).

The WCTF began the process of creating the waterwise garden in 2000. The project was supported financially by the Nebraska Statewide Arborcrtum and in-kind donations. Volunteer task force members and LWS staff have worked together since 2000 to enhance and maintain the garden. In early 2007, the WCTF voted to join the Mayor in formally dedicating the garden to the citizens of Lincoln.

“The garden was created for the citizens of Lincoln to view landscape choices that conserve water,” said Karen Burchard, Chair of the WCTF. “The garden not only beautifies the Lincoln Water System grounds, it also serves as an educational ‘teaching garden.’ We invite the citizens of Lincoln to explore the waterwise garden and indulge in the simplistic beauty of native and non-native prairie plants. May you be inspired to plant your own water-saving garden and join other citizens in cultivating and promoting water conservation.”

The WCTF was created in 1988 and works with LWS to encourage all citizens of Lincoln to conserve water.
OFFICE OF THE MAYOR  
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: May 10, 2007  
FOR MORE INFORMATION: David Norris, Citizen Information Center, 441-7547  
Jerry Obrist, Lincoln Water System, 441-7571

MAYOR CALLS FOR VOLUNTARY WATER CONSERVATION

Mayor Coleen J. Seng today encouraged Lincoln residents to voluntarily conserve outdoor water this summer by following the designated day schedule for outdoor watering instituted four years ago. She encouraged conservation as the unpredictable summer months approach and the western part of the state continues to experience dry conditions, which is the source of Lincoln's water supply.

"Despite recent rains, we know from experience that the weather can change quickly, and drought conditions are always possible," said Mayor Seng. "I encourage residents to practice water conservation all summer."

Properties with street addresses ending in an even number, including zero, are asked to voluntarily limit outdoor water use (watering lawns and washing vehicles) to Wednesdays, Fridays and Sundays. Properties with addresses ending in odd numbers are asked to voluntarily limit outdoor watering to Tuesdays, Thursdays and Saturdays. Those property owners with more than one street address at the same location can choose either daily schedule and notify the Lincoln Water System (LWS) of their decision.

"Residents have done a good job conserving outdoor water in the past," said Jerry Obrist, LWS Utilities Coordinator. "I want to remind residents that the City's water fees are structured to encourage conservation. The more water you use, the higher the rate, so those who water excessively this summer can expect high water bills," Obrist said.

Water is billed by the unit. One unit is 100 cubic feet of water or about 750 gallons. The price is $1.05 per unit for the first eight units (about 6,000 gallons). The price increases to $1.48 per unit for the next 15 units (11,250 gallons). It increases again to $2.28 per unit for every 750 gallons above 15 units. A complete description of water rates and the City's Water Management Plan are available on the City Web site, lincoln.ne.gov, under the tab for Public Works and Utilities.
Water Conservation
May 10, 2007
Page Two

In addition to following the designated day system, the Mayor’s Water Conservation Task Force recommends that citizens:

- water during the cool part of the day;
- not water when it is windy;
- adjust sprinklers to water only the lawn, and not the sidewalk or street;
- use a broom, not a hose and water, for outdoor cleaning; and
- wash your car with a pail of soapy water, using the hose only to rinse the car.

Obrist encouraged those who have automatic lawn irrigation systems to set them to follow the designated watering days system.

“Our statistics show that enough people are conforming to our conservation suggestions that our peak time for water usage has shifted from later in the day to earlier in the day,” said Obrist. “Residents have always shown a willingness to conserve outdoor water use. I’m confident they’ll follow suit this time as well, and we appreciate their help.” Obrist said that the use of designated days helps to level the daily usage of water throughout the week.

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HEAD START

House votes to reauthorize early childhood education program. By a vote of 365-58, the House approved legislation (HR 1429) to reauthorize Head Start through FY 2012. The vote came after sometimes heated debate over whether to allow faith-based organizations running Head Start programs to hire employees based on religious preference. Similar debates over that issue and on an Administration proposal to have the states run the program have stalled reauthorization efforts in recent years.

As passed by the House, HR 1429 would authorize $7.4 billion for Head Start in FY 2008 and “such sums as necessary” for FY 2009 through FY 2012. For FY 2007, Congress appropriated $6.9 billion for the program.

Under the bill, the Head Start program would have to coordinate their curriculum with that of the local school district. In addition, it would require that 50 percent of all Head Start teachers have a bachelor’s degree or higher by 2013 and would require that all new Head Start employees have an associate’s or bachelor’s degree or be enrolled in a program to receive a degree. The bill would not allow faith-based organizations running a Head Start program to consider religious preference when hiring Head Start employees. It also does not include a pilot program to have 8 states run the Head Start program despite the efforts of the Administration and its backers.

The House approved several amendments to the bill, including one that adds language to the bill recognizing the role that faith-based organizations have played in Head Start and stating explicitly that they are eligible to continue participating in the program. Members also approved amendments that would: establish a program to coordinate the new Head Start employee degree requirements with historically black colleges and universities; require background checks for new Head Start employees, and forgive federal student loans for Head Start teachers who earn a bachelor’s degree and commit to teaching Head Start for three years.

The focus now turns to the Senate. The Senate Health, Education, Labor and Pensions Committee has approved a reauthorization bill (S 556) authored by Committee Chairman Edward Kennedy (D-MA) and Ranking Member Michael Enzi (R-WY) that is similar to the House bill. They expect the Senate to consider it soon.

PUBLIC SAFETY

House Judiciary Committee approves COPS reauthorization measure. The legislation (HR 1700) would authorize the Community Oriented Policing Services (COPS) program at $1.15 billion annually over the next five years. The measure would provide a significant boost to the police hiring component of the program that has been ignored in recent years.

One of the most significant changes to the program would be to allow law enforcement agencies to use funds from the annual $600 million hiring portion of the program for police officers to perform “intelligence, anti-terror, or homeland security duties.” In addition, $350 million would be authorized for technology grants, and $200 million each year for hiring additional prosecutors.

It has been several years since the COPS program has been reauthorized, and federal assistance for the program has dwindled as Congress and the Bush Administration have focused resources on homeland security efforts. Republicans have been particularly critical of the Clinton-era program, claiming
that law enforcement hiring should be a local matter and that many jurisdictions did not retain their COPS grant hires after the three-year grants expired. As the COPS program neared, and exceeded, its goal of placing an additional “100,000 cops on the street,” the Republican Congress shifted its focus toward technology purchases as opposed to hiring.

The legislation is expected to be considered on the House floor next week. The Senate Judiciary Committee approved a similar measure (S 368) in March but it has not reached the floor yet.

**ENERGY**

**Senate panel approves comprehensive energy bill.** The Senate Energy and Natural Resources Committee approved legislation this week that combines a number of energy efficiency related matters under the jurisdiction of the panel, including the creation of a block grant for local governments to devise and implement energy efficiency programs.

The “Energy and Environment Block Grant” is a high priority of the U.S. Conference of Mayors, and would authorize the Department of Energy (DOE) to make formula grants to cities over 35,000 in population. The measure would give DOE responsibility to create the formula, but sponsors envision the Community Development Block Grant (CDBG) program as a guide. At this time, the bill does not authorize a specific amount for the initiative, which is one of four measures the committee combined in its markup this week as a part of a larger energy efficiency measure (S 1115).

Bill sponsors had hoped that committee members would choose to withhold any amendments to the bill in order to hasten its trip to the Senate floor. However, Senators Craig Thomas (R-WY) and Jim Bunning (R-KY) offered an amendment that would mandate the use of 21 billion gallons of coal-based liquid fuels annually by 2022. The effort was in response to a provision in the bill that mandates the use of 36 billion gallons of biofuels annually. The amendment was defeated along party lines, with Democrats expressing concerns about the higher emissions for coal-based fuels, even in liquid form.

The coal debate is expected to resurface once this bill is considered on the Senate floor, as is a debate over renewable portfolio standards for utilities. Committee Chairman Jeff Bingaman (D-NM) is expected to offer an amendment to require utilities to produce at least 15 percent of their annual electricity output from renewable sources by 2020.

When the bill is considered on the Senate floor, it is expected to be combined with other energy legislation under the jurisdiction of other committees, such as tax credits.

**Senate Majority Leader Harry Reid (D-NV) pledged earlier this year to bring comprehensive energy legislation to the floor prior to Memorial Day, but he conceded this week that negotiations over the Iraq funding bill along with an already tight floor schedule will prevent that from happening.**

**HOUSING**

**House committee approves FHA reform bill with affordable housing fund.** The House Financial Services Committee approved legislation (HR 1852) this week that would revamp the Federal Housing Administration (FHA) while also creating a fund for the creation of additional affordable housing.

The legislation would raise loan limits for FHA-backed loans overall, as well as raise loan limits in high-cost areas, eliminate the 3 percent down payment requirement for FHA loans, and allow FHA to vary the premiums that it would charge borrowers. Sponsors also included a provision to create an affordable housing fund with FHA surpluses each year that would provide rental housing and homeownership opportunities for low income families. The provision is similar to language in legislation (HR 1427) to overhaul Government Sponsored Enterprises (GSE) such as Fannie Mae that was approved by the Financial Services Committee in March.

Committee Republicans were unsuccessful in several attempts to eliminate or water-down the affordable housing fund, but Committee Chairman Barney Frank (D-MA) altered the language a bit in a manager’s amendment to the bill. Reports are that the amendment would specify that before any surplus FHA funds are placed in the affordable housing fund that they be used to ensure the solvency of the agency’s single family housing mortgage program, as well as set aside $58 million annually for a housing counseling program.

The next step for the legislation is the House floor, although Frank did not know when it would be considered.

**WATER RESOURCES**

**Senate to debate WRDA bill next week.** Senate Majority Leader Harry Reid (D-NV) confirmed yesterday that the Senate version of the Water Resources Development Act (S 1248) will be considered on the Senate floor next week. The bill would authorize over $30 billion in flood control and other water-related projects over the next ten years. The House passed its version of WRDA (HR 1495) last month.

Congress has not approved a WRDA bill since 2000 (they are traditionally approved every two years), and significant debate is expected over the measure in the Senate. While most Members agree that there are a number of vital projects in the pipeline that are in need of an authorization, there are concerns over the cost of the measure, as well as the manner in which the U.S. Army Corps of Engineers administers flood control projects.

Senator Tom Coburn (R-OK) and Jim DeMint (R-SC) have been frequent critics of congressional spending, and they may object to the pricetag of the bill, particularly since it is twice the amount of the House bill, according to the Congressional Budget Office. In addition, the bill contains an additional $140 million for a water delivery project in Montana at the behest of Senator Max Baucus (D-MT) and in exchange for their support of that project, Republican negotiators will reportedly receive an additional $140 million to distribute among their projects.

Also, Senator John McCain (R-AZ) and Russell Feingold (D-WI) may bring up
their concerns with Corps administrative rules, and as the chief proponents of “Corps reform,” they likely have been most responsible for the five year delay in approving another WRDA bill.

**TRANSPORTATION**

House T&I Committee passes legislation to restrict Mexican truck operations in the United States. On Wednesday, the House Transportation and Infrastructure (T&I) Committee voted unanimously to pass the “Safe American Roads Act of 2007” (HR 1773), legislation that would restrict the Bush Administration’s plan to allow Mexican trucks to deliver commercial freight inside of the U.S.

The bill authorizes the Department of Transportation (DOT) to undertake a Mexican trucking pilot program to allow a limited number of Mexican trucks access to U.S. highways, but sets benchmarks for safe operation of the trucks and oversight of the program.

The legislation, sponsored by Rep. Peter DeFazio (D-OR) is designed to slow the implementation of the Mexican Truck Pilot Program that was announced by DOT Secretary Mary Peters in February. The one-year pilot program would allow 100 commercial Mexican trucks to begin immediately delivering goods as far as 20 miles inland of the U.S. border. In return, Mexico would allow U.S. trucks to make deliveries in Mexico within six months of the program’s enactment.

Opponents of Mexican truck agreements believe that allowing full access to U.S. highways would compromise highway safety and dramatically increase air pollution.

HR 1773 would require DOT to take a number of precautionary steps before implementing the pilot program, such as:

- Fix penalties for violations of trade rules.

The bill now heads to the House floor. So far, a companion bill has not been introduced by the Senate.

**GRANT OPPORTUNITIES**

**Department of Justice**

DOJ announced guidance for Justice Assistance Grants (JAG) Program for FY 2007. JAG provides formula funds to support training, equipment, technical assistance, and informational support for the justice system at the local level. For FY 2007, the Office of Justice Programs has decided to focus on the specific areas of gang enforcement and prevention, multi-jurisdictional task forces, and school safety. Applications are due July 2, 2007 and the entire announcement may be found at: http://www.ojp.gov/BJA/grant/jag.html.
FOR IMMEDIATE RELEASE: May 7, 2007
FOR MORE INFORMATION: Dan N. King, Environmental Health Educator
441-8084

HOUSEHOLD HAZARDOUS WASTE COLLECTION
AND
LATEX PAINT EXCHANGE

FREE LATEX PAINT

Pfizer Inc is again partnering with the Lincoln-Lancaster County Health Department in hosting the annual Household Hazardous Waste Collection and Latex Paint Exchange on Saturday, May 19, from 9:00 AM to 1:00 PM. The collection and exchange will be held at Pfizer’s main plant located at 601 West Cornhusker Highway. Pfizer is sharing the responsibility for this event because of its community focus and desire to help with environmental issues.

The collection is for households only; business waste will not be accepted. Only homeowners may bring good, useable latex paint to the paint exchange. However, schools, community organizations, churches, neighborhood groups, artists, teachers, and individuals may select from the paints brought to the exchange. The paint must mix when stirred and not be lumpy which often occurs from the paint having been frozen. The paint must be at least two-thirds full, in its original can, with the label intact and readable.

“We appreciate Pfizer’s partnership in protecting public health and the environment. Over the last nine years, Pfizer has helped collect and pay for the recycling and disposal of nearly

-more-
80,000 pounds of hazardous waste from households in Lincoln and Lancaster County,” said Beth Mann, the Health Department’s Household Hazardous Waste Coordinator. “The Latex Paint Exchange provides homeowners with a great opportunity to share good usable paint with others in the community.”

Items accepted at the Household Hazardous Waste collection include: old pesticides, turpentine, paint thinners, stains, oil-based paints, pool cleaning chemicals, flea and tick powders, rodent poison, charcoal starter fluids, mixed or old gasoline, upholstery cleaners, grease removers, brake and power steering fluids, and mercury-containing items including thermometers and fluorescent bulbs. Banned chemicals such as Diazinon, Dursban, DDT, and Chlordane should be brought to the collection. Items that cannot be brought to the collection, but can be recycled in Lincoln include: batteries, automotive oil, antifreeze, fire extinguishers, propane cylinders, mercury thermostats, computers and electronics. Also not accepted at the collections are medicines, fertilizers, explosives or ammunition.

For recycling information, advice on how to dispose of items that are not accepted and alternatives to hazardous products contact the Lincoln-Lancaster County Health Department at 441-8021 or visit their website at, http://www.lincoln.ne.gov (keyword: households).
May 8, 2007

To: All Physicians, Administrators and Laboratory Personnel

From: Bruce Dart, PhD, Health Director

Subject: Physician Advisory

**SHIGELLOSIS**

There have been 3 laboratory confirmed cases of Shigella Sonnei reported to the Lincoln-Lancaster County Health Department in the past three weeks. All three are connected to the same elementary school. All parents of children attending this school are being notified and provided information regarding Shigella. They have been advised to keep their child home if he or she is symptomatic and to call their health care provider if symptoms last more than 24-48 hours.

Unlike Shigella isolates during last year’s outbreak, these current Shigella isolates are showing no resistance on susceptibility testing. If antibiotic therapy is initiated, it is essential that sensitivity data be reviewed and therapy be modified, if indicated.

The LLCHD strongly recommends:

1. Obtain a stool culture for all diarrhea cases which have persisted for more than 48 hours and especially on individuals presenting with a diarrhea illness who are employed as food handlers, health care workers and child care providers.

2. Symptomatic children in child care centers, schools or home day care with lab confirmed cases of Shigellosis, will be excluded until they have been on antibiotic treatment for 48 hours and asymptomatic for 24 hours. If not treated, two lab confirmed negative cultures for Shigella will be required before returning to a child care center or school.

3. Those lab confirmed with Shigella and employed as food handlers, health care workers or child care providers should be excluded from work until medication is completed and until two successive fecal samples or rectal swabs (collected at least 24 hours apart, but no sooner than 48 hours after antibiotic therapy is completed), are negative for Shigella.

We urge you to test and treat all individuals who are symptomatic and a contact of a confirmed case of Shigellosis. Please immediately report suspect or confirmed cases of Shigellosis to our Communicable Disease Program at 441-8053, after hours or weekends call 441-8000 and ask for the Communicable Disease Program.

OVER
Physician Advisory Available By E-Mail

Physicians, Advance Nurse Practitioners, Physician Assistants, Health-Care and Laboratory Administrators can receive periodic physician advisories by e-mail. Send an e-mail to ttimmons@lincoln.ne.gov with your name, type of practitioner (MD, ARNP, PA-C, Administrator, etc.) and location of practice.

PC Mayor Coleen Seng
   Board of Health
   Steven Rademacher, M.D., Medical Consultant
   Thomas Stalder, M.D., Medical Consultant
   James Nora, M.D., Medical Consultant
   Shelley Jones, M.D., Medical Consultant
   Richard Morin, M.D., Medical Consultant
   Joan Anderson, Executive Director, Lancaster County Medical Society
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Coleen Seng
     Mayor-Elect Chris Beutler
     Lincoln City Council

FROM : Jean Walker, Planning

DATE : May 9, 2007

RE : Comprehensive Plan Conformance No. 07009
     (Permanent Conservation Easements - Apples Way and Hwy 2)
     Resolution No. PC-01049

The Lincoln City-Lancaster County Planning Commission took the following action at their
regular meeting on Wednesday, May 9, 2007:

Motion made by Strand, seconded by Carroll, to find the proposed conveyance
of permanent conservation easements by AC Holdings, LLC, and Apples' Way,
LLC, to the City of Lincoln to preserve the floodplain storage over an area
generally located southwest of Highway 2 and Apple's Way, to be in
conformance with the 2030 Lincoln-Lancaster County Comprehensive Plan.

Motion for a finding of conformance with the Comprehensive Plan carried 8-0 (Strand,
Taylor, Sunderman, Carroll, Esseks, Larson, Cornelius and Carlson voting 'yes'; Krieser
absent).

A resolution accepting the proposed permanent conservation easements is scheduled for public
hearing before the City Council on Monday, May 14, 2007, at 1:30 p.m., Bill #07R-101.

Attachment

cc: Building & Safety
    Rick Peo, City Attorney
    Karl Fredrickson, Director of Public Works & Utilities
    Nicole Fleck-Tooze, Ben Higgins - Public Works & Utilities, Watershed Management
    Glenn Johnson, Lower Platte South NRD, P.O. Box 83581, 68501
    Peter Katt, Attorney at Law, 1045 Lincoln Mall, Suite 200, 68508
    AC Holdings, LLC, c/o Tom Huston, 233 S. 13th Street, Suite 1900, 68508
    City Clerk
RESOLUTION NO. PC- 01049

Comprehensive Plan Conformity No. 07009

WHEREAS, Apples' Way LLC and AC Holdings LLC have proposed to convey to the City of Lincoln a permanent conservation easement to preserve the floodplain storage over an area generally located southwest of Highway 2 and Apples Way.

WHEREAS, the City of Lincoln is authorized to accept and hold conservation easements under the terms of the Conservation and Preservation Easement Act (Neb. Rev. Stat. §§ 76-2,111 to 76,2,118); and

WHEREAS, Neb. Rev. Stat. § 76-2,112 requires that, in order to minimize conflicts with land use planning, the proposed conservation easements must be submitted to the Lincoln City - Lancaster County Planning Commission for comments regarding the conformity of the proposed conservation easement to the Lincoln City Comprehensive Plan prior to acceptance of the easement by the City of Lincoln; and

WHEREAS, the Director of Planning has submitted a request designated as Comprehensive Plan Conformity No. 07009 to find the proposed acquisition of permanent conservation easement by the City of Lincoln to be in conformity with the Comprehensive Plan.

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

That the proposal of Apples' Way LLC and AC Holdings LLC that the City of Lincoln accept a permanent conservation easement to preserve the floodplain
storage and to restrict the development on the property described above be and the
same is hereby found to be in conformance with the Lincoln City/Lancaster County
Comprehensive Plan.

The foregoing Resolution was approved by the Lincoln City-Lancaster
County Planning Commission on this 9th day of May, 2007.

ATTEST:

[Signature]
Chair

Approved as to Form & Legality:

[Signature]
Chief Assistant City Attorney
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Coleen Seng
     Mayor-Elect Chris Beutler
     Lincoln City Council

FROM : Jean Walker, Planning

DATE : May 10, 2007

RE : Special Permit No. 07012 - Early Childhood Care Facility
     (N.W. 1st Street and W. Highland Blvd.)
     Resolution No. PC-01052

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, May 9, 2007:

     Motion made by Strand, seconded by Carroll, to approve Special Permit No. 07012, with conditions, requested by Ridge Development Co. and Southview Holding Company, Inc., for authority to operate an early childhood care facility for up to 76 children and 12 staff members, on property located at N.W. 1st Street and W. Highland Blvd.

     Motion for conditional approval carried 8-0: Cornelius, Larson, Sunderman, Taylor, Esseks, Carroll, Strand and Carlson voting 'yes'; Krieser absent.

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Attachment

cc: Building & Safety
    Rick Peo, City Attorney
    Public Works
    Mike Eckert, Civil Design Group, 3901 Normal Blvd., #203, 68506
    Southview Holding Co., 8644 Executive Woods Dr., 68516
    Southview, Inc., 8020 O Street, 68510
    Ridge Development Co., 2001 Pine Lake Road, 68516
    Jason Fortik, Highlands N.A., 5461 N.W. Fairway Drive, 68521
    Larry Miller, Highlands NW N.A., 5747 N.W. 11th Street, 68521

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RESOLUTION NO. PC- 01052

SPECIAL PERMIT NO. 07012

WHEREAS, Ridge Development Co. and Southview Holding Company Inc. have submitted an application designated as Special Permit No. 07012 for an early childhood care facility for up to 76 children and 12 staff members on property located at N.W. 1st Street and W. Highland Blvd., and legally described to wit:

Currently Lot 10, Block 1 and a portion of Outlot A, Baron's Ridge 1st Addition, to be replatted as Lot 1, Baron's Ridge 3rd Addition, Lincoln, Lancaster County, Nebraska; and

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

WHEREAS, the community as a whole, the surrounding neighborhood, and the real property adjacent to the area included within the site plan for this early childhood care facility will not be adversely affected by granting such a permit; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the comprehensive plan of the City of Lincoln and 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 Lincoln City-Lancaster County Planning Commission of Lincoln, Nebraska:
That the application of Ridge Development Co. and Southview Holding Company Inc., hereinafter referred to as "Permittee", to permit an early childhood care facility for up to 76 children and 12 staff, be and the same is hereby granted under the provisions of Section 27.63.070 the Lincoln Municipal Code upon condition that development of said early childhood care facility be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This approval permits an early childhood care facility for up to 76 children and 12 staff members on the largest shift.

2. Upon approval of the special permit by the Planning Commission, the Permittee shall submit to the Planning Department a reproducible final site plan including five copies showing the following revisions and documentation:

   a. Revise the site plan as follows:

      i. On the west building envelope line, clarify the limits of the two dimensions or show one overall dimension.

      ii. On the Landscape Plan change Autumn Purple Ash to Autumn Blaze Maple, Patmore Ash to Swamp White or Burr Oak and Marshall Seedless Ash to Skyline Honeylocust. The Parks Department does not want Ash trees used, due to disease.

      iii. Remove general notes relating to the Use Permit.

   b. Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

   c. The construction plans must comply with the approved plans.

3. Before occupying the early childhood care facility all development and construction must comply with the approved plans.
4. The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

5. This resolution's terms, conditions, and requirements bind and obligate the Permittee, its successors and assigns.

6. The Permittee shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the special permit, provided, however, said 60-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.

The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this 9th day of May, 2007.

ATTEST:

[Signature]
Chair

Approved as to Form & Legality:

[Signature]
Chief Assistant City Attorney
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Coleen Seng
     Mayor-Elect Chris Beutler
     Lincoln City Council

FROM : Jean Walker, Planning

DATE : May 10, 2007

RE : Use Permit No. 154C - Wilderness Hills Commercial Center
     (Southeast of S. 27th Street and Yankee Hill Road)
     Resolution No. PC-01050

The Lincoln City-Lancaster County Planning Commission took the following action at their
regular meeting on Wednesday, May 9, 2007:

Motion made by Strand, seconded by Carroll, to approve Use Permit No. 154C,
an amendment to the Wilderness Hills Commercial Center, with conditions,
requested by Buffalo Grass, LLC, to adjust the site layout and grant waivers to
the Land Subdivision Ordinance to allow lots which do not front on a public or
private roadway, and to exclude the installation of sidewalks and planting of
street trees along the south side of Copper Ridge Drive and the east side of S.
28th Street, on property generally located southeast of S. 27th Street and Yankee
Hill Road.

Motion for conditional approval carried 8-0: Cornelius, Larson, Sunderman, Taylor,
Esseks, Carroll, Strand and Carlson voting ‘yes’; Krieser absent.

The Planning Commission’s action is final, unless appealed to the City Council by filing a Letter
of Appeal with the City Clerk within 14 days of the date of the action by the Planning
Commission.

Attachment

cc: Building & Safety
    Rick Peo, City Attorney
    Public Works
    Don Day, Olsson Associates, 1111 Lincoln Mall, Suite #111, 68508
    Buffalo Grass, LLC, c/o Don Linscott, 300 N. 44th Street, Suite #100, 68503
    Christine Jackson, Wilderness Ridge H.O. Assn., 9030 Whispering Wind Rd., 68512

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RESOLUTION NO. PC-01050

USE PERMIT NO.154C

WHEREAS, Buffalo Grass LLC has submitted an application in accordance with Section 27.28.090 of the Lincoln Municipal Code designated as Use Permit No. 154C to amend Wilderness Hills Commercial Center to adjust the site layout and grant waivers to the Land Subdivision Standards to allow lots which do not front on a public or private roadway, to exclude the installation of sidewalks and planting of street trees along the south side of Copper Ridge Drive and the east side of S. 28th Street on property generally located southeast of S. 27th Street and Yankee Hill Road, and legally described to wit:

Outlot "A", Block 1, Wilderness Hills Commercial Addition, and a portion of Outlot "G", Wilderness Hiss Commercial 1st Addition, all located in the Northwest Quarter of Section 30, 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 Outlot "B", Block 1, Wilderness Hills Commercial Addition, said point being a northwest corner of Outlot "G", Wilderness Hills Commercial 1st Addition, said point being the true point of beginning; thence easterly along a north line of said Outlot "G" and its extension, said line being a south line of said Outlot "B" and its extension, on an assumed bearing of north 89 degrees 50 minutes 08 seconds east, a distance of 293.19 feet to a point of intersection with the center line of said Outlot "G"; thence south 00 degrees 08 minutes 32 seconds east along the center line of said Outlot "G", a distance of 446.87 feet to a point of curvature; thence along a curve in a counter clockwise direction having a delta angle of 17 degrees 54 minutes 22 seconds, a radius of 360.00 feet, an arc length of 112.51 feet, a tangent length of 56.72 feet, a chord length of 112.05 feet, and a chord bearing of south 09 degrees 05 minutes 43 seconds east along the center line of said Outlot "G"
to a point; thence south 18 degrees 02 minutes 54 seconds east
along the center line of said Outlot “G”, a distance of 52.03 feet to
a point of intersection with the south line of said Outlot “G”; thence
south 76 degrees 03 minutes 06 seconds west along a south line
of said Outlot “G”, a distance of 24.06 feet to a point of deflection;
thence south 22 degrees 24 minutes 34 seconds west along a
south line of said Outlot “G”, and a south line of Outlot “A”, Block
1, Wilderness Hills Commercial Addition, a distance of 23.56 feet
to the southeast corner of said Outlot “A”, said point being a point
of curvature of a non-tangent curve in a clockwise direction,
having delta angle of 08 degrees 19 minutes 01 seconds, a radius
of 358.00 feet, an arc length of 51.97 feet, a tangent length of
26.03 feet, a chord length of 51.92 feet, and a chord bearing of
south 85 degrees 40 minutes 37 seconds west along a south line
of said Outlot “A”; thence south 89 degrees 50 minutes 08
seconds west along a south line of said Outlot “A”, a distance of
219.42 feet to the southwest corner of said Outlot “A”; thence
north 43 degrees 52 minutes 05 seconds west along a southwest
line of said Outlot “A”, a distance of 49.10 feet to a southwest
corner of said Outlot “A”, said point being on the east line of South
27th Street right-of-way; thence north 00 degrees 03 minutes 06
seconds west along a west line of said Outlot “A”, said line being
the east line of said right-of-way, said line also being 60.00 feet
east of and parallel with the west line of the Northwest Quarter of
said Section 30, a distance of 523.69 feet to a northwest corner of
said Outlot “A”; thence south 89 degrees 03 minutes 49 seconds
east along a north line of said Outlot “A”, said line being a south
line of said right-of-way, a distance of 10.00 feet to a northwest
corner of said Outlot “A”; thence north 00 degrees 04 minutes 24
seconds west along a west line of said Outlot “A”, and a west line
of Outlot “G”, Wilderness Hills Commercial 1st Addition, said line
being an east line of said right-of-way, said line also being 70.00
feet east of and parallel with the west line of said Northwest
Quarter, a distance of 79.34 feet to the point of beginning, said
tract contains a calculated area of 194,521.96 square feet or 4.47
acres, more or less;

WHEREAS, the real property adjacent to the area included within the site plan for this
construction of commercial and office area 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 Lincoln City - Lancaster County
Planning Commission of Lincoln, Nebraska:
That the application of Buffalo Grass LLC, hereinafter referred to as "Permittee", to amend Wilderness Hills Commercial Center to adjust the site layout and to grant waivers to the Land Subdivision Standards to allow lots not fronting on a public or private roadway, and to exclude the installation of sidewalks and planting of street trees along the south side of Copper Ridge Drive and the east side of S. 28th Street be and the same is hereby granted under the provisions of Section 27.31.100 of the Lincoln Municipal Code upon condition that construction and operation of said office/commercial space be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This approval permits waivers to Land Subdivision Standards Section 26.23.140 (g) to waive the requirement that lots front onto a public street or private roadway and Sections 26.27.020 and 26.27.090 to waive sidewalks and street trees along the south side of Copper Ridge Drive and the east side of S. 28th Street from approximately 125 feet south of Corral Place to Lot 22, Block 1.

2. Before receiving building permits:
   a. Upon approval of the use permit by the Planning Commission, the developer shall submit to the Planning Department a revised and reproducible final site plan including five copies showing the following revisions and documents:
      i. Correct the zoning table to say Lot 17, Block 1 instead of Lots 17 and 18 Block 1.
      ii. Put all waivers in 1 waiver table.
      iii. Provide a Landscape/ Pedestrian Circulation Plan that shows that Design Standards from Chapters 3.50 and 3.10 can be met. It should also include the 8 foot wide sidewalk along Lots 9 thru 13, Block 1 and sidewalk along both sides of the private drive connecting Copper Ridge Drive and Yankee Hill Road.
      iv. Specify square footage limitations for individual buildings in a table on page 2 of 12 and remove square footage from buildings on page 12 of 12.
v. Eliminate all redundant notes on the Site Plan.

vi. Replace Site Specific Note #12 with “Landscaping will meet City of Lincoln Design Standards.”

vii. Add the words “but not including” before Lot 22, Block 1 in the waivers table.

viii. Show the hotel and the square footage on the zoning table or the table required by condition 2.4.

ix. Change General Site Note #16 to say “All City of Lincoln Design Standards shall be met except those specified in the waiver table.”

x. Submit a new grading and utility plan that addresses Public Work’s concern #2 in their memo dated April 24, 2007.

xi. Add to General Site Note #24 “Pole signs are prohibited.”

xii. Add to General Site Notes “Design Criteria for the other buildings in the Community Center; other than Town Center, will be developed by the applicant with written approval of the Planning Director prior to issuance of building permits for the buildings in the Community Center other than the Town Center.”

b. The construction plans shall comply with the approved plans.

c. Final Plats shall be approved by the City.

3. Before occupying buildings all development and construction is to comply with the approved plans.

4. All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the owner or an appropriately established homeowners association approved by the City.

5. The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

6. This resolution’s terms, conditions, and requirements bind and obligate the Permittee, its successors and assigns.
7. The applicant shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the special permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

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.

DATED: May 9, 2007.

ATTEST:

Approved as to Form & Legality:

Chair

Chief Assistant City Attorney
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Coleen Seng
     Mayor-Elect Chris Beutler
     Lincoln City Council

FROM : Jean Walker, Planning

DATE : May 10, 2007

RE : Use Permit No. 123E - Landmark Corporate Center
     (N. 33rd Street and Folkways Blvd.)
     Resolution No. PC-01051

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, May 9, 2007:

Motion made by Strand, seconded by Carroll, to approve Use Permit No. 123E, an amendment to the Landmark Corporate Center, with conditions, requested by Complete Children's Health, to adjust lot layouts and grant a waiver to the Land Subdivision Ordinance requiring lots to front onto public or private roads, on property located at N. 33rd Street and Folkways Boulevard.

Motion for conditional approval carried 8-0: Cornelius, Larson, Sunderman, Taylor, Esseks, Carroll, Strand and Carlson voting 'yes'; Kresier absent.

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Attachment

cc: Building & Safety
    Rick Peo, City Attorney
    Public Works
    Don Day, Olsson Associates, 1111 Lincoln Mall, #111, 68508
    Complete Children's Health, 2355 Superior Street, #103, 68521
    North Thirty-Third LLC, 300 N. 44th Street, #100, 68503
RESOLUTION NO. PC-01051

USE PERMIT NO.123E

WHEREAS, Complete Children's Health has submitted an application in accordance with Section 27.28.090 of the Lincoln Municipal Code designated as Use Permit No. 123E to amend Landmark Corporate Center to adjust lot layouts and grant a waiver to the Land Subdivision Standards requiring lots to front onto public or private roads on property generally located at N. 33rd Street and Folkways Boulevard, and legally described to wit:

Outlot "A", King Ridge 1st Addition, Lot 9 I.T., Lot 55 I.T., Lot 64 I.T., a portion of Lot 66 I.T., and Lot 56 I.T., all located in the North Half and the Southeast Quarter of Section 6, Township 10 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska, and more particularly described as follows:

Beginning at the northwest corner of said Lot 9 I.T., said point being the northwest corner of the Northeast Quarter of said Section 6 and the true point of beginning; thence on an assumed bearing of south 89 degrees 32 minutes 01 seconds east along the north line of said Lots 9 I.T., 55 I.T., and 56 I.T., said line being the north line of said Northeast Quarter, a distance of 2081.80 feet to the northeast corner of said Lot 56 I.T.; thence south 19 degrees 48 minutes 14 seconds west along the east line of said Lot 56 I.T., a distance of 308.00 feet to a point of deflection; thence south 27 degrees 40 minutes 14 seconds west along the east line of said Lot 56 I.T., a distance of 191.00 feet to a point of deflection; thence south 14 degrees 39 minutes 14 seconds west along the east line of said Lot 56 I.T., a distance of 430.00 feet to a point of deflection; thence south 25 degrees 27 minutes 14 seconds west along the east line of said Lot 56 I.T., a distance of 216.00 feet to a point of deflection; thence south 18 degrees 58 minutes 46 seconds east along the east line of said Lot 56 I.T., a distance of 300.00 feet to a point of deflection; thence south 35 degrees 32 minutes 46 seconds east along the east line of said Lot 56 I.T., a distance of 260.00 feet to a point of deflection; thence south 44
degrees 52 minutes 46 seconds east along the east line of said
Lot 56 I.T., a distance of 340.00 feet to a point of deflection;
then thence south 25 degrees 12 minutes 46 seconds east along the
east line of said Lot 56 I.T., a distance of 238.00 feet to a point of
deflection; thence south 15 degrees 52 minutes 46 seconds east
along the east line of said Lot 56 I.T., a distance of 131.40 feet to
the southeast corner of said Lot 56 I.T.; thence south 89 degrees
20 minutes 18 seconds west along the south line of said
Northeast Quarter, a distance of 247.88 feet to a point; thence
south 14 degrees 09 minutes 24 seconds east, a distance of
45.07 feet to a point; thence south 30 degrees 44 minutes 24
seconds east, a distance of 112.47 feet to a point; thence south
18 degrees 11 minutes 27 seconds east, a distance of 425.18 feet
to a point; thence south 89 degrees 21 minutes 45 seconds west,
a distance of 612.60 feet to a point; thence north 19 degrees 52
minutes 12 seconds west, a distance of 110.44 feet to a point;
then thence north 44 degrees 39 minutes 07 seconds west, a distance
of 86.32 feet to a point; thence north 45 degrees 20 minutes 53
seconds west, a distance of 40.21 feet to a point; thence south 44
degrees 39 minutes 07 seconds west, a distance of 11.82 feet to
a point; thence south 20 degrees 54 minutes 33 seconds west, a
distance of 166.64 feet to a point; thence south 24 degrees 58
minutes 57 seconds west, a distance of 189.53 feet to a point;
thence south 38 degrees 28 minutes 38 seconds west, a distance
of 441.81 feet to a point; thence south 33 degrees 31 minutes 48
seconds west, a distance of 211.58 feet to a point of intersection
with the south line of said Lot 66 I.T.; thence south 89 degrees 24
minutes 30 seconds west along the south line of said Lots 66 I.T.
and 64 I.T., said line being the south line of the Northwest Quarter
of said Southeast Quarter, a distance of 757.17 feet to the
southwest corner of said Lot 64 I.T.; thence north 16 degrees 42
minutes 23 seconds west along the west line of said Lot 64 I.T., a
distance of 342.29 feet to a point of curvature; thence along a
curve in a clockwise direction having a radius of 1000.00 feet, arc
length of 309.56 feet, delta angle of 17 degrees 44 minutes 12
seconds, a chord bearing of north 07 degrees 50 minutes 17
seconds west, and a chord length of 308.33 feet to a point of
tangency; thence north 01 degrees 01 minutes 49 seconds east
along the west line of said Lot 64 I.T., said line being the west line
of the Northwest Quarter of said Southeast Quarter, a distance of
690.46 feet; thence north 01 degrees 02 minutes 06 seconds east
along the west line of said Lot 9 I.T.; said line being the west line
of said Northeast Quarter, a distance of 42.52 feet to the
southwest corner of said Outlot "A"; thence south 89 degrees 20
minutes 39 seconds west along the south line of said Outlot "A", a
distance of 50.02 feet to the southwest corner of said Outlot "A";
thence north 01 degrees 02 minutes 06 seconds east along the
west line of said Outlot "A", a distance of 1702.88 feet to a point
of curvature; thence along a curve in a counterclockwise direction
having a radius of 950.00 feet, arc length of 144.20 feet, delta
angle of 08 degrees 41 minutes 49 seconds, a chord bearing of
north 03 degrees 18 minutes 49 seconds west along the west line
of said Outlot "A", and a chord length of 144.06 feet to a point;
thence south 65 degrees 00 minutes 33 seconds west along the
south line of said Outlot "A", a distance of 16.09 feet to a point of
deflection; thence north 24 degrees 59 minutes 27 seconds west
along the west line of said Outlot "A", a distance of 80.00 feet to a
point of deflection; thence north 65 degrees 00 minutes 33
seconds east along a north line of said Outlot "A", a distance of
22.71 feet to a point of deflection; thence north 21 degrees 15
minutes 03 seconds east along the west line of said Outlot "A", a
distance of 40.86 feet to a point of deflection; thence along a
curve in a clockwise direction having a radius of 1050.00 feet; arc
length of 137.43 feet, delta angle of 07 degrees 29 minutes 58
seconds, a chord bearing of north 17 degrees 30 minutes 49
seconds west along the west line of said Outlot "A", and a chord
length of 137.34 feet to a point of tangency; thence north 13
degrees 45 minutes 50 seconds west along the west line of said
Outlot "A", a distance of 476.53 feet to the northwest corner of
said Outlot "A"; thence south 89 degrees 32 minutes 57 seconds
east along the north line of said Outlot "A"; said line being the
north line of said Northwest Quarter, a distance of 241.37 feet to
the true point of beginning; said tract contains a calculated area
of 155.40 acres, or 6,769,342.64 square feet more or less;

WHEREAS, the real property adjacent to the area included within the site plan for this
amendment to the construction of commercial and office area 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 Lincoln City - Lancaster County
Planning Commission of Lincoln, Nebraska:

That the application of Complete Children's Health, hereinafter referred to as
"Permittee", to amend Landmark Corporate Center to adjust lot layouts and grant a waiver to
the Land Subdivision Standards requiring lots to front onto public or private roads on the
property described above be and the same is hereby granted under the provisions of Section
27.31.100 and 27.51.100 of the Lincoln Municipal Code upon condition that construction and
operation of said office/commercial space be in strict compliance with said application, the site
plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a waiver to § 26.23.140 of the Land Subdivision Standards
to allow lots without frontage upon a public streets or private roadways. These lots must have
access to a public street or private roadway via an access easement through lots or outlots.

2. Upon approval of the use permit by the Planning Commission, the developer
shall submit to the Planning Department a revised and reproducible final site plan including five
copies showing the following revisions and documents:

   a. Add to the General Notes, "Signs need not be shown on this site plan,
      but need to be in compliance with chapter 27.69 of the Lincoln Zoning
      Ordinance, and must be approved by Building & Safety Department prior
      to installation". Remove the three "sign envelopes" and labels.

   b. Add notes or a table stating the purpose of each outlot.

   c. The Lincoln Public Schools property west of this use permit is not a part
      of this development and therefore setbacks apply. Only setbacks to lot
      lines internal to the use permit may be zero. Revise the building
      envelopes for Lot 6 and Outlot E, Block 4 to show a 20' rear yard setback
      along the western boundary of the use permit.

   d. Add note: "Blanket utility easements are granted over the entire
      development, excluding building envelopes."

   e. Add note: "Any construction or grade changes in LES transmission line
      easement corridors are subject to LES approval and must be in
      accordance with LES design and safety standards.

   f. Add note: "Landscaping material selections within easement corridors
      shall follow established guidelines to maintain minimum clearance from
      utility facilities."
3. Before occupying buildings all development and construction must comply with the approved plans.

4. All privately-owned improvements, including landscaping, are to be permanently maintained by the owner or an appropriately established homeowners association approved by the City.

5. The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

6. This resolution's terms, conditions, and requirements bind and obligate the Permittee, its successors and assigns.

7. The applicant shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the special permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

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.

DATED: May 9, 2007.

ATTEST:

Approved as to Form & Legality:

Chief Assistant City Attorney
Dear Mr. Young:

Thank you for submitting your comments and concerns relating to roads and traffic issues in the Fallbrook area. A copy is being submitted to each Planning Commission member for their consideration prior to the special public hearing on the draft CIP/TIP, which is scheduled for Wednesday, May 16, 2007, beginning at 1:00 p.m. I am also providing a copy to the Director of Planning and Planning Department staff involved in the CIP/TIP, as well as staff members in the Public Works & Utilities Department.

For your information, the briefing on May 9th is an opportunity for the staff to answer questions about the draft CIP/TIP, and the Commissioners will have your communication prior to that briefing. I am attaching for your information, an invitation to the May 9th briefing as well.

(See attached file: PC Briefing Invitation.pdf)

--Jean Walker, Administrative Officer
City-County Planning Department
441-6365
Jean, could you please route this letter to the appropriate contacts in the Planning Department. We would like to see if this item can be added to the agenda for next week's CIP "Planning Commission Briefing." This would give the commission the background on the issue before the public hearing on the 16th. If you need anything further, please let me know. Thanks.

Tony Young
6844 Wildrye Rd
Lincoln, NE 68521
(402) 770-5964
young@neb.rr.com

(See attached file: 2003 FSA Aerial Photograph.PDF) (See attached file: Planning Dept Letter 20070507.pdf)

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- PC Briefing Invitation.pdf
- 2003 FSA Aerial Photograph.PDF
- Planning Dept Letter 20070507.pdf
May 3, 2007

RE: Capital Improvements Program Briefing on May 9, 2007

You are invited to the Capital Improvements Program (CIP) "Planning Commission Briefing" scheduled for Wednesday, May 9, 2007, from 11:45 a.m. to 12:45 p.m. in Room 113, of the County-City Building. At 12:45 the Planning Commission will adjourn to their regularly scheduled meeting, and City staff will remain in 113 to answer the public's questions. This is another of the steps the City has undertaken to raise awareness with the broader community about the public investment needed to maintain, improve and expand Lincoln's infrastructure.

City staff from various departments will discuss the draft six-year program for:

- Urban Development
- Parks and Recreation
- Water
- Wastewater
- Streets

City staff will submit the draft program to the Planning Commission, which will hold a public hearing on May 16, 2007, at 1:00 p.m. in the City Council Chambers, County/City Building, to determine if the proposed projects are consistent with the Comprehensive Plan. The Mayor will submit a final version of the CIP to the City Council in June, along with his proposed operating budget.

You can view the proposed CIP in advance of the May 9th briefing at:

www.lincoln.ne.gov [keyword: cip]

If you have any questions, please call Sara Hartzell at 441-6372.

Sincerely,

Marvin S. Krout
Director of Planning

cc: Development Community Contacts e-mail list
Development Community Contacts e-mail list
Mayor Coleen Seng, Mark Bowen, Ann Harrell - Mayor's Office
Karl Fredrickson, Steve Masters, Roger Figard - PWU
Don Herz, Steve Hubka - Finance
Lynn Johnson - Parks and Recreation
Marc Wullschleger - Urban Development
Kent Morgan - Planning
FILE
This item, together with related ordinance revisions, has first reading on May 14th and public hearing on May 21st. It amends the Erosion and Sediment Control section of Chapter 2.05, the Stormwater Drainage Design Standards.

The design standards also adopt by reference an updated Chapter 9 of the City’s Drainage Criteria Manual. Chapter 9, “Erosion and Sediment Control,” is an 84-page technical document that provides more detailed design information reflecting today’s industry standards for design professionals who are preparing erosion and sediment control plans. A copy of this document will be available as a link on the City’s on-line Council agenda. If you prefer to receive a hard copy, please contact me at 441-6173 or ntooze@lincoln.ne.gov.
May 8, 2007

WATER MAIN PROJECT #700297
North 56th Street from Fletcher Avenue North Approximately 1000'

The week of May 14, 2007, K2 Construction of Lincoln will be starting construction (weather permitting) of a water main and water service reconstruction for the Engineering Services Division of the Public Works and Utilities Department.

The scope of the work involves replacing a 12” water main. This takes place in North 56th Street (or 55X) from Fletcher Avenue to 1000' north on the west side of the service road. The construction will be complete in June, 2007 barring weather or unforeseen conditions.

The City of Lincoln realizes this project may temporarily inconvenience you. Notifications of closure or access to your property will be given to you in a timely order as the contractor progresses through the project.

If you have any problems or questions during the construction period, please contact K2 Construction Superintendent, Tom Rogge at (402) 770-5728 or the City of Lincoln Project Manager, Warren Wondercheck.

Warren Wondercheck, Senior Engineering Specialist
Engineering Services, Public Works and Utilities
Phone: (402) 441-7014
Cell: (402) 540-2750
Email: wwondercheck@lincoln.ne.gov

K2 Construction Office
Office Hours: 8:00 - 5:00
(402) 467-2355
STORM DRAINAGE PROJECT TO START
Project #702264
70th Street and A Street - Brentwood Estates

Next week, the City of Lincoln Public Works and Utilities Department will be starting a storm drainage project in your area. The construction will take place in the drainage way west of Brentwood Estates and Taylor Meadow Medical building, north of Prairie Life, and east of Silver Ridge Road. This construction will add new pipes to increase the system capacity and a section of concrete flow liner to improve the storm water drainage.

Contractor and Schedule:

The Contractor for this project is K2 Construction. They are planning to move equipment to the area on Monday, May 14, 2007. Weather permitting and barring any unforeseen conditions, they plan to be completed with the project in approximately 30 days.

Contacts for the project if you have questions:

Tom Rogge                Brian Dittmann
K2 Construction            City of Lincoln, Engineering Services
(402) 467-2355              (402) 525-5646
INTEROFFICE MEMORANDUM

TO: Mayor Seng
& City Council Members

FROM: Clinton W. Thomas

DEPARTMENT: City Council Office

DEPARTMENT: Housing Rehab & Real Estate Division

ATTENTION: 

DATE: May 10, 2007

COPIES TO: Teresa J. Meier
Marvin Krout
Dana Roper
Byron Blum, Bldg & Safety
Jean Walker, Planning

SUBJECT: Street & Alley Vacation No. 06009
N/S Alley - North Corner Blvd. and Garland Street

A request has been made to vacate the North/South alley in Block 26, Bethany Heights Addition. The area was viewed and appears as a surfaced alley running through the block. There was evidence of electrical, cable, and telephone utilities running along the west side of the alley. Public Works has also indicated there is a natural gas main and an 8-inch sanitary sewer running through the alley proposed for vacation. A permanent easement for existing and future utilities has been requested over the entire area.

Long, narrow strips such as this have little, if any, value in and of themselves, but can have value as assemblage into the abutting property; however, a strip like this encumbered with permanent easements for numerous utilities located within the area will have little value to the abutting property owner other than for access which they already have. Since along with ownership would come the right to pay taxes on the area, the only real benefit of this land to the abutting property owner is the right to control traffic through it. As such, the alley to be vacated is considered to have only a nominal value of $0.15 per square foot. The calculations are as follows:

\[6,000 \text{ sq. ft.} \times \$0.15/\text{sq. ft.} = \$900.00\]

Therefore, it is recommended, if the area be vacated, it be sold to the abutting property owner for $900.00 with the retention of the requested utility easements.

Respectfully submitted,

Clinton W. Thomas
Certified General Appraiser #990023

dge
INTEROFFICE MEMORANDUM

TO: Mayor Seng
   & City Council Members

FROM: Clinton W. Thomas

DEPARTMENT: City Council Office

DEPARTMENT: Housing Rehab & Real Estate Division

ATTENTION:

DATE: May 10, 2007

COPIES TO: Teresa J. Meier
           Marvin Krout
           Dana Roper
           Byron Blum, Bldg & Safety
           Jean Walker, Planning

SUBJECT: Street & Alley Vacation No. 06011
         N/S Alley - 27th & 28th Streets north
         of Vine Street

A request has been made to vacate the North/South alley running northward from Vine Street east of 27th Street. The alley was viewed and appeared as a surfaced, driving aisle located within the parking lot. LES has indicated the existence of an overhead line which was observed running diagonally across the alley. No other utilities were reported to be in the area to be vacated.

Long, narrow strips such as these have little value in and of themselves, but will normally take on the value of the abutting property once they are assembled into it. It is our opinion a buyer would be willing to pay 30% to 35% of the value they expected to gain once the property was assembled in order to acquire the strip. The underlying land value of the abutting commercial land is estimated in a range of $8.00 to $11.00 per square foot. Given the fact a utility easement will dissect the middle of it once it is assembled, a value at the lower end of the range at $8.00 per square foot is considered the appropriate starting point. A third of that amount would indicate a value for the area to be vacated of $2.64 per square foot for the vacated alley. The calculations are as follows:

\[
1,704 \text{ sq. ft.} \times \$2.64/\text{sq. ft.} = \$4,498.56 \text{ called } \$4,500
\]

Public Works has indicated the alley return should be removed and replaced with curb and gutter and sidewalk to eliminate access to the area being vacated. The estimated cost for required bond is $3,000. This amount should be deducted from the purchase price of the vacated alley since a prospective buyer would take that cost into consideration. Therefore, it is recommended, if the alley be vacated, it be sold to the abutting property owner for $1,500.

Respectfully submitted,

Clinton W. Thomas
Certified General Appraiser #990023

dge
A request has been made to vacate a portion of Lowell and Prescott Avenues as well as a portion of the alley between in the blocks between 48th and 51st Streets. The area requested to be vacated lies within two residential zoning districts, R-4 and R-6, with a slight majority of the area lying within the R-6 zoning designation. By my calculations, the area to be vacated within Prescott Avenue and one-half of the alley amounting to 5,050 square feet lie within the R-6 zoning district; while the area within Lowell Avenue and the south half of the alley, comprising an area of 4,225 square feet, lies within the R-4 zoned area. Because of its density the R-6 zoned area has a slightly higher underlying land value. The R-6 zoned area is estimated to have a land value of $4.00 per square foot; while, the R-4 zoning would indicate a land value of closer to $3.50 per square foot.

Small, narrow strips such as these are rarely purchased and are not buildable, in and of themselves; however, they do have assemblage value to the abutting property and will render a portion of that abutting property to be more readily usable. It is this writer’s opinion, an abutting property owner would be willing to pay in the neighborhood of 30% to 35% of the land value of the property to which the vacated area is assembled in order to acquire it. On that basis, we would expect to see a value in the neighborhood of $1.15 per square foot for R-4 zoned parcels and $1.35 per square foot for R-6 zoned parcels.

Another factor to consider is any easement which might be retained upon the area. LES has asked that utility easements be retained over the entire area to be vacated. Public Works has also indicated, if the vacation goes forward as requested, the sidewalk subsequently would be located on private property and a permanent easement for the sidewalk would need to be retained over a portion of the area to be vacated. Since those easements are all located within the zoning set-back area except for the small area of the alley to be vacated, they are considered not to have any detrimental effect to the value of the area if assembled into the abutting property.

Because the areas within the R-4 and R-6 zoning districts are nearly equal, I am inclined to chose a value in the middle of the range of $1.25 per square foot. The calculations are as follows:

\[ 9,275 \text{ sq. ft.} \times \$1.25/\text{sq. ft.} = \$11,593.75 \text{ called } \$11,500 \]

Therefore, it is recommended, if the area be vacated, it be sold to the abutting property owner for $11,600.

This value is recommended if the area is vacated as requested by the petitioner. Public Works has recommended the proposed vacation be reduced along both Lowell and Prescott Avenues. If the final area vacated deviates from the above area, the value should be re-calculated on the basis of $1.25 per square foot.

Respectfully submitted,

Clinton W. Thomas
Certified General Appraiser #990023
For council please....

----- Original Message ----- 
From: "John Rink" <jrink67@yahoo.com>
To: <pnewman@lincoln.ne.gov>
Sent: Wednesday, May 09, 2007 12:27 PM
Subject: Assistance needed

Dear Ms. Newman:

I live at 200 South 53rd Street. I have a house at 918 South 10th Street. This house is directly north and about 6-7 feet from the property that burned to the ground on or near Februaury 7th (926 South 10th). As a result of the fire my house sustained some significant damage. I am concerned that 926 South 10th is still standing. It is a dump and since the house has burned down there have numerous people that have looted that property and I have had thieves that stole the cooper from my air conditioner. The repair cost for that is $1,700. I would like to know why this dump has not been leveled yet. There is broke glass in the alley between houses and it is a huge problem. I can be reached at 471-2850 (work) and 730-7266 (cell).

Don't pick lemons.
See all the new 2007 cars at Yahoo! Autos.
http://autos.yahoo.com/new_cars.html
Jean, could you please route this letter to the appropriate contacts in the Planning Department. We would like to see if this item can be added to the agenda for next week's CIP "Planning Commission Briefing." This would give the commission the background on the issue before the public hearing on the 16th. If you need anything further, please let me know. Thanks.

Tony Young
6844 Wildrye Rd
Lincoln, NE 68521
(402) 770-5964
young@neb.rr.com

- 2003 FSA Aerial Photograph.PDF
- Planning Dept Letter 20070507.pdf
May 7, 2007

City of Lincoln
Planning Department
555 South 10th St. Ste 213
Lincoln, NE 68508

Dear Marvin Krout,

As a representative of the Fallbrook Homeowners Association and a voice for all of northwest Lincoln, I would like to bring your attention to a brewing traffic crisis that concerns all residents in this area.

The amount of traffic utilizing the Highway 34 and N Fletcher intersection has increased dramatically driven by new residential developments springing up along N 14th Street and the opening of the Links at Lincoln apartment complex. Later this year, Fallbrook’s Town Center and Town Square will open, generating even more traffic at that intersection. The following table illustrates residential units currently planned or under construction in the northwest quadrant. Residents in these developments will likely use this intersection to gain access to their homes as it is the quickest and most direct route when traveling northbound on I-180.

<table>
<thead>
<tr>
<th>Development</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fallbrook</td>
<td>1,200 units</td>
</tr>
<tr>
<td>The Links at Lincoln</td>
<td>692 units</td>
</tr>
<tr>
<td>Highland View</td>
<td>566 units</td>
</tr>
<tr>
<td>Charleston Heights</td>
<td>350 units</td>
</tr>
<tr>
<td>Hartland’s Garden Valley</td>
<td>349 units</td>
</tr>
<tr>
<td>Stonebridge Creek</td>
<td>935 units</td>
</tr>
<tr>
<td>Villas @ Stonebridge Creek</td>
<td>124 units</td>
</tr>
<tr>
<td>Pinecrest</td>
<td>288 units</td>
</tr>
<tr>
<td>North Hills</td>
<td>422 units</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>3,726 units</strong></td>
</tr>
</tbody>
</table>

Compounding the problem will be the increased traffic generated by the new LPS elementary school located at N 14th Street and Alvo Road, with an estimated attendance of 800 students, faculty and staff, the new LPS middle school located in Fallbrook with an estimated attendance of 850 students and faculty, and the new YMCA also located in Fallbrook. The YMCA is scheduled to open in March of 2009 followed shortly by the opening of the two new schools later that summer.

Finally, the 1-80 widening project is scheduled to begin in 2009 which will require the complete removal of the N 7th Street overpass and the removal and reconstruction of the N 14th Street overpass. The removal of both overpasses will likely coincide with the opening of
the new elementary school, placing an enormous burden on the Hwy 34 and N Fletcher intersection.

Currently, Fletcher is the only paved road between N 1st and N 14th Streets. Humphrey Ave and Pennsylvania Ave, the two gravel streets north of Fletcher, both terminate on N 7th street, which is also a gravel road. We believe the amount of traffic using Fletcher will escalate dramatically over the next two years and will reach a dangerous level with the opening of the two new schools and the closure of the N 14th Street overpass.

Some points to consider:

- Alvo Road is identified in the *Arterial Street Impact Fee Benefit Area Map* as a *Future Road Project: 4 Lane plus a Center Turn Lane* but there is currently no connection between N 1st and N 7th Streets. At this point, we are not aware that the city or county even owns the right of way or that it has ever been identified in the *One and Six Year Streets and Highways Improvement Program*.

- N 1st St is also identified in the *Arterial Street Impact Fee Benefit Area Map* as a *Future Road Project: 4 Lanes plus a Center Turn Lane*. N 1st Street is currently a 2-lane road paved to Alvo Road.

- Nebco Inc. is committed to constructing the portion of Alvo Road that runs through the Fallbrook development from N 1st St to NW 12th St prior to the opening of the YMCA and LPS middle school. This is identified in the 2007/08 CIP as 070736000212 - 2007/2008 PC - Alvo Street from NW 12th to NW 1st Street.

- We have received preliminary interest from the developers of both Charleston Heights and Garden Valley in pursuing a project to connect Humphrey Avenue from N 7th to N 14th.

Based on all the information presented above, we feel it is imperative for the city to identify the Alvo Road and N 1st Street projects as critical projects and place them on the *One and Six Year Streets and Highways Improvement Program* with completion dates prior to the opening of the two new LPS schools in the summer of 2009.

We also feel that secondary East-West routes of Humphrey and/or Pennsylvania should be connected through to N 14th and paved similar to Fletcher. A secondary route would greatly ease the traffic along Fletcher especially for parents traveling between the two schools.

This request is supported by Lincoln Public Schools, the Fallbrook Homeowners Association, and Nebco, Inc.

Thank you for taking the time to hear our concerns. I appreciate your willingness to review the situation and hope we can work towards a resolution that addresses our concerns and meets the goals of the City-County Planning Commission. Please feel free to call me at 770-5964 or e-mail me at young@neb.rr.com as we continue this dialogue.

Sincerely,

Tony Young
Fallbrook Resident

Attachment: 2003 FSA Aerial Photograph

cc: Mayor’s Office
Lincoln City Council
Department of Public Works
Fallbrook Community Relations Team
There is a lot more to drag racing than just the cars.
http://www.nhra.com/YES/content.asp?articleid=17788&zoneid=130&navsource=About

NHRA In The Community charities.

Who would sponsor the NHRA? Here is a list of sponsors for the NHRA the cars have their own sponsors.
http://www.nhra.com/sponsors/index.htm

- NHRA Youth_Educational Services.htm
The NHRA's Youth & Education Services (YES) program presented by the U.S. Army is motorsports' first and only full-time program devoted exclusively to educational programming. The YES program was created in 1989 as a tool to connect education and drag racing. Since its inception, YES has continued to expand and improve its programs, seminars, literature, and educational material.

As one of NHRA's fastest-growing programs, YES develops track-site and classroom programs for students in kindergarten through college. The first Career Opportunities Fair (COF) was held at Auto Club Raceway at Pomona, and YES now reaches tens of thousands of students annually in a variety of services and offerings. The effort assists teachers and students in determining a course to help young people achieve their long-term career goals.

The themes promoted by the YES program are consistently focused on:

- The need for continued education
- The value of job-specific training
- The relevance of establishing clear, attainable goals
- Awareness of the tremendous variety of career options

The YES program, presented by the U.S. Army, is an innovative, track-site program, taking place at 18 NHRA national events. Fifty thousand students participate annually from schools across the country. Students from middle schools, high schools, and colleges are invited to attend this free field trip and job-shadowing activity. The program takes place at the track, usually in the corporate hospitality area.

Our 45-minute program consists of speakers inspiring and informing students about the various opportunities awaiting them if they take the necessary steps to properly prepare themselves for the challenges to come.
Some of our featured speakers are Tony Schumacher, Top Fuel, and Angelle Sampey and Antron Brown, Pro Stock Motorcycle, all from Don Schumacher's U.S. Army team as well as several others. The students also hear presentations from an NHRA official, a Schumacher Racing executive, and an Army recruiter, who describes the opportunities and benefits available to students in today's U.S. Army.

## 2007 YES Event Schedule

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Name</th>
<th>Location</th>
</tr>
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<tbody>
<tr>
<td>February 9</td>
<td>CARQUEST Auto Parts NHRA Winternationals</td>
<td>Pomona, CA</td>
</tr>
<tr>
<td>March 16</td>
<td>ACDelco NHRA Gatornationals</td>
<td>Gainesville, FL</td>
</tr>
<tr>
<td>March 30</td>
<td>O'Reilly NHRA Spring Nationals</td>
<td>Houston</td>
</tr>
<tr>
<td>April 13</td>
<td>SummitRacing.com NHRA Nationals</td>
<td>Las Vegas</td>
</tr>
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<td>Summit Racing Equipment NHRA Southern Nationals</td>
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</tr>
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<td>May 4</td>
<td>O'Reilly NHRA Midwest Nationals</td>
<td>St. Louis</td>
</tr>
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<td>May 18</td>
<td>O'Reilly NHRA Thunder Valley Nationals</td>
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<td>Chicago</td>
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<td>NHRA SuperNationals</td>
<td>Englishtown, NJ</td>
</tr>
<tr>
<td>July 13</td>
<td>Mopar Mile-High NHRA Nationals</td>
<td>Denver, CO</td>
</tr>
<tr>
<td>August 17</td>
<td>Toyo Tires NHRA Nationals</td>
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</tr>
<tr>
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<td>Richmond, VA</td>
</tr>
<tr>
<td>November 2</td>
<td>Automobile Club of Southern California NHRA Finals</td>
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Serving and educating the youth of America through drag racing
1/1/2007

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            Richmond, VA
November 2  Automobile Club of Southern California NHRA Finals  
            Pomona, CA

*National Hot Rod Association*

http://www.nhra.com/
Hello, I think it would be great to have your support for drag racing in our community. Here is a great program that would be a great addition to our area.

http://www.beattheheatinc.org/about.html
The original BEAT THE HEAT PROGRAM was started by Sgt. Don Robertson of the Jacksonville, Florida Sheriff's Department in 1984.

In 1990, Senior Corporal Mac Sibley of the Dallas Police Department brought the program to Texas and, with the help of the Duncanville Police Department, expanded the program and built on the start that Sgt. Robertson had begun.

The program started with two cars in 1990. In 1991, it expanded to a third car from the Sulphur Springs, Texas Police Department.

In 1992, the volunteer police officers incorporated the program receiving tax-exempt status from the IRS under Section 501(c)(3) of the IRS Code. The program also received tax-exempt status from the Comptroller of the State of Texas. That year the program grew to 5 cars.

In 1993, the program grew to 18 cars representing 15 Police Agencies around the State of Texas. There were 10 more officers from the Houston area that formed a Gulf Coast Beat the Heat Division. In 1993, the officers participated in over 40 events around the state where they were in direct contact with over 50,000 young people.

In 1994, the program grew to over 25 cars and the Drag Cops participated in over 50 events contacting almost 100,000 young people. It also won a prestigious CRIMINAL JUSTICE AWARD from the Texas Attorney General's Office for its work with young people in the Prevention Category. The Drag Cops also worked, hands on, with well over 100,000 young people in 1994.

In 1995, the program grew beyond the borders of the State of Texas with over 35 officers and cars participating representing 30 Police Agencies in Texas, Oklahoma and Louisiana. The 1995 Schedule of Events grew to over 100 different events around the country by the time the year was over. There were 41 participants in the 5TH ANNUAL BEAT THE HEAT CHALLENGE at the Texas Motorplex and over 6,000 spectators were in the stands. This was the largest spectator crowd to ever attend a regular Saturday night bracket race in the history of the Motorplex. Easily, half of the spectators were young people. That's what we are all about.

In 1996, the program continued to grow and had over 50 members representing 42 agencies in 8 states. The 1996 Schedule included over 150 events. Less than 10% of those events were races. The rest were the kind of events with kids that properly achieves our goals. The HEAT Team contacted, one to one, over 360,000 young people during the...
year.

In 1997, the program expanded nationwide in order to unite the efforts of all the Public Safety Officers who give of themselves to the kids. We will supply support and information for all these dedicated Public Servants. We will also provide guidance to other officers who desire to begin programs of their own. The membership grew to over 100 officers who contacted over 500,000 kids at over 300 events.

In 1998 the program has grown into the 27th state with over 150 members. Our goal was to contact a million kids this year if we could. We succeeded in contacting almost 700,000 kids at just under 500 different events. In 1999 Beat the Heat, Inc. associated itself with the National Street Car Association (NSCA) whose principles are closely aligned with ours. NSCA provides a place for street racers to get off the street and on the track to race their cars. NSCA also provided a venue for Beat the Heat, Inc. to deliver its message to more people all over the country. NSCA had a Beat the Heat Class at every NSCA event in 1999.

ESPN covered all the NSCA events and had 30 minutes programs shown on national television. This was valuable publicity for the program as well. Besides the young people who were exposed to the program through the TV media our members succeeded in contacting over 1,301,000 kids at over 750 events.

In 2000 the members of Beat the Heat, Inc. continued to work with many thousands of young people all over the United States and Canada. They went to more schools, did more displays and contacted over 1,304,000 kids. The Beat the Heat World Finals was moved westward to Bowling Green, Kentucky where we had the largest collection of drag racing police cars ever assembled. Membership grew to 171 members in 30 states and 2 Canadian Provinces.

All funds come from donations from sponsors and individual donors who desire to see the Goals of the Program met. NO TAX DOLLARS are spent by any agency we represent. Since ALL participants are volunteers, over 98% of all funding goes directly to operate the program. Several of the officers have trading cards printed. These have proved to be great items to present to the kids to remind them about the principles of the program. Funding is needed for just about everything. We need pamphlets, pictures, trading cards, t-shirts, caps and any other items that we can hand out to the kids. It is very important that they have something to remind them of our message.

In 1997, 1998 and 1999 the Program sponsored a CHALLENGE SERIES for officers all over the country to gather and display their programs and race the cars for the title of TOP COP. The last event at Gainesville Raceway in Florida was the WORLD FINALS where we crowned a true National Champion for the program. All the officers that participated in these events volunteered to do so knowing there were NO monetary prizes. They participated at their own expense just to try to make a real difference for the kids.

The members of the program contacted over 245,000 young people in 1995 delivering our educational message. In 1996, we worked with over 300,000 kids. That number grew to well over 500,000 in 1997. In 1998, that number pushed 700,000. In 1999, We contacted 1,301,780 kids in over 750 events. Our activities continues to grow in 2000 making over 1.3 million kid contacts. We can document that we made a difference for many of these young people and we did it very economically, spending less than ONE DOLLAR per child. Try to imagine what we might be able to do if we were able to spend 2 or 3 dollars per child! Although there are some administrative costs they amount to less than 2% of the entire budget. We are very proud that these expenses are kept at a bare minimum.

The volunteer officers of the program drive well over 300,000 miles each year to participate in all these events. We DO NOT charge a fee for our appearances. We find that most of the time the organizations who really need our services have no budget to supply any funding to help us. That is why they need our help in the first place. It
is our intention to keep working with the young people as long as we possibly can and hope that we can get enough help from sponsors and donors to keep us going.

Have comments or questions concerning this site or Beat the Heat? Contact us by email.
APPLICATION FOR SPECIAL PERMIT

March 29, 1963

Honorable Mayor and City Council
City of Lincoln, Nebraska

Gentlemen:

Under the provisions of Section 27.40 of Ordinance 5636
the undersigned hereby applies for a special permit to
build an Automoblie Race Track on
property described as Lot , Block ,
that part of the north 1/2 of the northeast Addition
1/4 of section 32, 11, 7, lying north of Subdivision,
the street address of which is Lancaster County .

Proposed development of the property is shown on plans
attached hereto. Type and character of the proposed use is as
follows: Build and operate Race Track for Stock Car Racing,
Auto Thrill Shows, Motorcycle Races, and other types of
outdoor entertainment.

Very truly yours,
LINCOLN SPEEDWAYS, INC.
by A. A. Studer, pres.
Address by Paul Zaeng, sec. treas.
1845 So. Cotner, Lincoln, Nebr.
Telephone No. 482016

Date of hearing (Planning Commission) Jan. 16, 1963
Date of hearing (City Council) n/a
Posted

Fee paid 20.00
Receipt #1093
Subject: Lancaster County has land Zoned for a Race Track

Please look over attachments. Special permit #254

On April 10th 1963 the Planning department approved Special Permit #254 for a race track to be built at 56th and Alvo road area. Comprehensive plan conformance No. 07002. Is how I have found this information. See page 2 here.


Back in 1963 the area may have been outside city limits. This means that Lancaster county Board back then did not have to make the final decision for special permit to allow a race track on AG land. I also have a copy of Ordinance 5636 Section 27.40 mentioned in special permit #254.

I have attended Oct 11th and Oct 25th Public hearings about SP#06065 and #06051. I have also reviewed all minutes from meetings including Motor sports Task Force minutes. After all the research that has been completed on these special permits. Does planning department have the information available to make the final decision now? Should they have put the decision upon the County Board?

If you look at the Lancaster County Board of Commissioners "Mission and Goals". "Adoption of the county budget" is the only thing they do that may involve them making final decision on a Drag Strip located in Lancaster County since they receive funds from lodging tax and keno funds which would skyrocket. Here is mission and goals link for the Lancaster County Board of Commissioners.

http://www.lincoln.ne.gov/cnty/commiss/mission.htm

I have been in contact with Mayor Elect Chis Beutler about this opportunity for our community. He is aware of economic impact this drag race track will have on Lincoln and the State of Nebraska. In order to move Lincoln forward. He knows the tourism dollars from entertainment venues will help greatly. Here is a response I have recieved from Chis Beutler.

Shannon,
Thank you for all this information. You've obviously done a lot of work.

I hope you were able to listen to the Blaze yesterday. I indicated that I believed the Davey location would be an appropriate location for the motorsports complex.

Thank you again,
Chris Beutler

Thank you for reviewing,
Shannon McGovern
(402)202-1461
It has recently come to the attention of the Nebraska Bankers Association (NBA) that the Lincoln City Council will be considering adoption of a “Neglected Building Ordinance” following a public hearing on Monday, May 7. As General Counsel of the NBA, and on behalf of its 246 member bank and 11 savings and loan association members, I would like to express our opposition to specific elements of the proposed ordinance.

While we do not take exception to efforts to establish a process to regulate vacant, blighted and dilapidated buildings or to address potentially dangerous conditions created by these buildings, we have serious concerns regarding the scope of the proposed regulation, as it relates to financial institutions holding liens against real estate that may be subject to the proposed regulation.

The proposed ordinance imposes specific responsibilities and sanctions related to “neglected” buildings.” First, neglected, deteriorated and abandoned buildings are required to be registered; second, plans related to the restoration or demolition of abandoned buildings are required to be filed; and third penalties are imposed upon those violating the ordinance. While the “purpose” clause of the proposed ordinance speaks to the “responsibility of property owners to prevent buildings from becoming a detriment to the neighborhood and community and a threat to the public health, safety, and welfare,” responsibility for compliance with requirements of the proposed ordinance extend not only to owners, but to “operators” of the property.

We believe that financial institutions holding liens against the property by virtue of the filing of a mortgage or deed of trust are captured within the broad definition of “owner” under Section 20-02.060 of the proposed ordinance. The definition of “owner” includes “any person who is a holder of any legal or equitable interest in the premises.” As such, a financial institution maintaining a deed of trust or mortgage against the subject premises would be required to comply with the requirements of the proposed ordinance and be subjected to criminal penalties for violations.

Similarly, we believe that a financial institution could also be deemed to be an “operator” of a building subject to the proposed ordinance. A deed of trust or mortgage taken by a financial institution to establish its lien against the property will generally contain an “assignment of rents” provision that would arguably place the financial institution in “control” of the property in the event of default. Similarly, a financial institution could take “control” of the property in the course of exercising its foreclosure rights, even without participating in the management of the building or business.

In addressing similar concerns that a financial institution could become an “owner” or “operator” under federal and state environmental laws and regulations, a “security interest exemption” for financial institutions has been routinely employed to recognize that the exercise of foreclosure rights without participating in management or the mere
taking of a lien against property subject to the laws and regulations does not make a financial institution an “owner” or “operator” for purposes of the law or regulation. For examples of the “security interest exemption” described above, see 42 U.S.C. Section 9601 (20)(E)(i) – Comprehensive Environmental Response, Compensation and Liability Act of 1980 and Neb.Rev.Stat. § 81-15,119 (1) and 2(b)(i) and (ii)(A) and (B) – Petroleum Products and Hazardous Substances Storage and Handling Act.

Based on the foregoing, it is the recommendation of the NBA that either the ordinance be rejected or that an express exemption for financial institutions maintaining a deed of trust or mortgage against the subject property or exercising their rights of foreclosure of such a lien without participating in management be incorporated into any final ordinance that may adopted by the City Council. I would like to thank you for considering the position of the NBA on this proposed ordinance.

Bob Hallstrom

NBA General Counsel

bob.hallstrom@nebankers.org

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**Penny Asher**

*Government Relations Executive Assistant*

**Nebraska Bankers Association**

**233 South 13th Street, Suite 700**

**Lincoln, NE  68501-0008**

**Phone: 402-474-1555**

**Fax: 402.474.2946**

**E-mail: penny.asher@nebankers.org**
I was encouraged to hear of the possibility of the city sharing in the cost to pave gravel roads within the city limits. I live on a gravel road near 84th and Pioneers. Several of us in the neighborhood tried to persuade the rest of the neighborhood to vote for a paving district two years ago. Although the vote was close, the high costs involved caused the majority to vote against. With a mix of young families and retired folks living in our neighborhood, there is no way paving will ever be voted in unless there is some sort of cost sharing involved. Ongoing maintenance costs of our gravel streets may eventually lead Public Works to consider such in the future on a more city wide basis. If there is anything you can do to make this a possibility, we would greatly appreciate it.

Thank you for your efforts.

Ross Wunderlich
4825 Mandarin Circle
Lincoln, NE 68516
Phone: (402) 484-6967
Fax: (402) 484-8619
Cell: (402) 617-1205

-----Original Message-----
From: MKrout@ci.lincoln.ne.us [mailto:MKrout@ci.lincoln.ne.us]
Sent: Tuesday, May 08, 2007 7:23 AM
To: Ross Wunderlich
Subject: Re: Paving of Gravel Roads within City Limits (Sharing of Cost)

Mr. Wunderlich: the program was set up by the Public Works department at the City Council's request with the limitation that the assistance be limited to the "low and moderate income" portions of the city -- where the incomes average 80 percent or less than the citywide average. This is mostly the older, inner part of the city. I think the Council would have to direct Public Works to expand the program to other areas such as yours. I can tell you that there has not been much interest so far, but that may be because there has not been much publicity to date. The main sponsors of this program were Councilmembers McRoy and Newman, and they are leaving office next week. If little interest is shown for this purpose, the Council may direct it to improving major roads instead, where there are plenty of needs. Your best option might be to contact your district Councilmember, Jon Camp, to see if he is interested in proposing to his colleagues that this program be extended citywide. I hope this response is helpful, please let me know if you have additional questions.

Marvin S. Krout, Director
Lincoln-Lancaster County Planning Department
tel 402.441.6366/fax 402.441.6377
To 
<wunconsult@alltel.net> <mkrou@lincoln.ne.gov>
cc
05/07/2007 05:54
bcc
PM
Subject Paving of Gravel Roads within City Limits (Sharing of Cost)

Mr. Krout,
I heard you on the radio today discussing the new CIP and the idea of sharing the costs of paving gravel roads within city limits. I live on a gravel road and have explored getting our street paved in the past. The high costs have deterred the neighbors from voting for paving. This will continue to be the road block from getting this accomplished. I would be most interested in finding out if there is the possibility of the city sharing in those costs with the homeowners.

Ross Wunderlich
4825 Mandarin Circle
Lincoln, NE 68516
484-6967 (p)
484-8619 (f)
617-1205 (c)

No virus found in this incoming message.
Checked by AVG Free Edition.
Version: 7.5.463 / Virus Database: 269.6.5/793 - Release Date: 5/7/2007
2:55 PM

No virus found in this outgoing message.
Checked by AVG Free Edition.
Version: 7.5.463 / Virus Database: 269.6.5/793 - Release Date: 5/7/2007
InterLinc: City Council Feedback for
General Council

Name:     Darin Rich
Address:  1733 South 105th
City:     Lincoln, NE  68520
Phone:    402-488-4741
Fax:       
Email:    djrich@us.ibm.com

Comment or Question:
Dear Lincoln City Council,
This is in regard to the proposed acreage development at 134th & A street. I urge you to vote "no" on this development. First off, calling this an "acreage development" really isn't correct, considering the lot sizes to be 1/3 to 1/2 an acre. This is simply a typical suburban development, but in a place where it doesn't belong. The city-county master plan calls only 6% of new housing to be outside the city limits, and we are already past 10%, AND this is approx 50 blocks from the city limits. I would suggest that the council should stick to ideas that led to the creation of this master plan - growth in a responsible manner. Please consider the recommendations of the Planning Dept and Planning commission and vote "no" on this development. Thank-you
Hello,
I am writing in support of Special Permit No. 06051 the Lancaster County Board of Commissioners has before them. Approval of this permit will benefit the entire city of Lincoln and the State of Nebraska. Here is some very good information to know when considering this unique opportunity for our community.

City of Lincoln Mayor's Office Economic Development Development and Permitting Process Improvement Study PDF - 883K

2006-07 Council Adopted Budget Budget Summary.

After reviewing this information. It is very important to review the UNL Economic Impact Analysis report of having the family friendly entertainment venue of drag racing in Lancaster County.
http://www.nemotorplex.com/benefits.html

The first year the proposed drag race track on Hwy 77 and Davey road location would run a 60 day schedule out of a 365 day year. A conservative estimate of $10,000,000 would benefit our community. I see the city is creating infrastructure on North Hwy77 and Interstate 80 interchange. This area will be a great for commercial development if the drag race track is located 5 miles North near Davey. The County Boards "Motorsports Task Force" Locations Opportunities Map for motorsports includes the proposed location. See it here.
The proposed building code change is seriously needed if we are concerned about quality livability in our city. This change is long over due. I am asking you to put the needs of neighborhoods above your desires. The citizens need you to cooperate to make Lincoln a better place to live by empowering those who want their neighborhoods cleaned up and kept safe. You would not stand for this irresponsibility of landowners next door to your resident. Please remember the citizens of Lincoln do not vote on LIBA members to influence the city council. Their statements printed in the newspaper go against the concerns of the citizens. If the ordinance definitions are to vague, then strengthen them. We need strong rules to empower the city its self and neighborhood residence to combat irresponsible landowners. Protecting silent partners is enabling irresponsibility.

And to you Mrs. Eschliman, your response in the newspaper lacks any concern for the citizens of the city your are to represent. If you don't think 'they would respond' then put in enforcement rules that require a response. Try to respond to the Lincoln Free to Grow group in a positive way. Also give Mr. Merwick the powers his department needs to keep our city safer and more livable.

I am also asking you ALL the whole council elected to govern our city to do it in the manor of cooperation's for ALL citizens. There are a few organizations that seem to have increased their influential power over the city council members at the expense of the tax payers concerns. DROP THE PARTY POLITICS!! it will kill our quality of life in Lincoln.

Thank you, Lynn Darling     438-5005
ADDENDUM TO DIRECTORS’ AGENDA
MONDAY, MAY 14, 2007

I. MAYOR -


2. NEWS RELEASE - RE: Highway 2 Truck Restrictions To Help Traffic Flow.

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE -

PATTE NEWMAN

1. E-Mail to Marvin Krout, Planning Director - RE: Item #8, 07-58, Change of Zone #07010 - 134th & A Streets.

B. DIRECTORS AND DEPARTMENT HEADS -

PLANNING

1. Response Memo from Marvin Krout to Ms. Newman - RE: Change of Zone #07010, Bill #07-58 (Third Reading, 5/14/07) (134th & A Streets)

C. MISCELLANEOUS - NONE
Date: May 11, 2007
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng’s Public Schedule
May 12, 2007

Saturday, May 12
  • Ceremony to unveil street signs for Rosa Parks Way - 10 a.m., steps of the Justice and Law Enforcement Center, 575 South 10th Street
HIGHWAY 2 TRUCK RESTRICTIONS TO HELP TRAFFIC FLOW

Beginning next week, trucks using Nebraska Highway 2 through Lincoln will be required to use the right lane unless turning. The City Public Works and Utilities Department will implement the lane restrictions for trucks weighing more than six tons to improve traffic flow and safety.

The restrictions will be in effect for westbound traffic from 91st Street to Southwood Drive and for eastbound traffic from Van Dorn Street to 91st Street. Electronic message signs will be used initially to notify drivers of the new lane restrictions, and signs with orange flags also will be posted. The Lincoln Police Department will enforce the lane restrictions and continue to monitor for speeders.

“Highway 2 can be very congested throughout the day,” said Scott Opfer, Manager of Traffic Operations. “When trucks stop at red lights, they do not accelerate as fast as other vehicles. That can lead to increased congestion when trucks are side by side. These restrictions will not eliminate congestion, but this is one way we can reduce it.”

For more information, contact Scott Opfer in the Public Works and Utilities Department at 441-7711.
Tammy Grammer/Notes
05/11/2007 05:43 PM

To: campjon@aol.com, jcookcc@aol.com, robine@neb rr.com, amcroy@mccrealty.com, newman2003@neb rr.com, ksvoboda@alltel.net, dmarvin@neb rr.com

cc

bcc

Subject: Fw: 134th and A Streets

Council,

See email below from Patte. Thanks.

Tammy Grammer
City Council Office
441-6867

----- Forwarded by Tammy J Grammer/Notes on 05/11/2007 05:41 PM -----

"Patte Newman"
<newman2003@neb rr.com>

05/11/2007 03:00 PM

To: <MKrout@ci.lincoln.ne.us>

cc <tgrammer@ci.lincoln.ne.us>

Subject: 134th and A Streets

----- Forwarded by Tammy J Grammer/Notes on 05/11/2007 05:41 PM -----

Tammy: Please forward to Council:

I understand there is a request from the applicant to continue Monday's agenda item 8) or 07-58 - Change of Zone at 134 and A Streets.

I would like to give Marvin Krout an opportunity to clarify his concerns with how this does or does not conform to the Comp Plan, how it relates to the "Cost of Services study", any additional comments on roads or sewer issues, etc.

This is an official council request, albeit not an RFI because my days are numbered. I will leave it up to other Council members as to whether that discussion should take place at Directors or at Council during the voting session Monday.

Marvin, please be prepared to discuss the various studies the Planning Commission (which denied this request for a change of zone) has done including but not limited to;
- the performance standards referred to by Mr. Katt which, I thought, had been finalized years ago but were never agreed to by the County Board
- the Cost of Rural Studies report which shows that acreages are subsidized by city taxpayers (a huge chunk of what our city budget deficit is right now)
- Comp Plan recommendations of urban/rural split

I'd also appreciate more information on package plants and failure rates and any other issues that were mentioned but that staff was not given the opportunity to address.

Thanks.
Patte Newman
MEMORANDUM

TO: Lincoln City Council
    Mayor-Elect, Chris Beutler

FROM: Marvin S. Krout, Director of Planning

SUBJECT: Change of Zone No. 07010, Bill #07-58 (Third Reading, 5/14/07)
        (134th & A Streets)

DATE: May 14, 2007

cc: Peter Katt
    Planning Commission

Council member Newman asked me to prepare comments for the Council on the proposed change of zone from AG to AGR on land north and west of the intersection of 134th and A Streets. She specifically asked for discussion of this case in relation to the 2002 Comprehensive Plan, the "Costs of Rural Services" study completed in 2003, the demand for new acreage lots, the surrounding road system, and the performance of package sewer treatment systems. This is Item No. 8, Bill #07-58, on your Agenda for May 14, 2007. It is scheduled for action, but we understand that the applicant has requested to continue this item until July 23, 2007, with the hearing left open.

1. Peter Katt, speaking for the applicant, suggested that we look back to the Comp Plan of 2002, which called for performance standards to determine where higher densities in the county were appropriate. Staff did develop a set of proposed standards, but the County Board could not develop a consensus on if or how to apply them, so the effort was terminated. That plan was adopted before we learned more about the Cost of Rural Services. We completed that study in 2003, as directed by the Plan. The study concluded that acreage developments in the county do not "pay their own way" with regard to county taxes paid versus services provided. The biggest service cost was county roads and bridges, followed by sheriff services. The study estimated that taxpayers in Lincoln and the other small cities subsidize acreage development by nearly $5 million per year -- and that is net, after you subtract the estimated local sales taxes that these folks are probably paying when they shop in the city. That amounts to nearly $1,000 subsidy per year per acreage dwelling.

2. Last year, as part of the update of the Comp Plan, we reviewed the demand for new acreage lots with the Planning Commission. That review showed a trend since the year 2000 of more single family homes building built outside Lincoln, and this is the source of the information quoted by the neighbor who spoke in opposition. But when you look at all new dwelling units, Lincoln still is maintaining the 90% goal in the Comprehensive Plan. The data also showed,
however, that the majority of these homes were being built in CUPs with AG zoning -- not in the AGR areas. Since build-through was implemented, most CUPs in the 3-mile ring have been not for traditional 3+ acre lots, but for smaller lots -- 1/3 to ½ acre in size -- that are more directly competing with lots in the city limits. That means home buyers who otherwise would have bought lots or new homes in the city -- and paid impact fees to help support the City's infrastructure expansion, paid sales taxes on the construction materials, and will pay City property taxes and wheel taxes -- are able to escape those costs, while taking advantage of the City's economic opportunities and many of the City's services.

3. The Plan map already reflects the efficiencies of "grouping" as per the language in the Comp Plan. The yellow areas were determined based on where a concentration of acreages had already developed -- it makes sense in those areas, like over in Denton, to fill in and around those already developed subdivisions. The Plan does not say we should have "equal opportunity" for groupings in each quadrant of the county! There is no particular reason why we would want to establish a new "grouping" in the Stevens Creek basin, and not at 134th and A Streets. The streets are not paved, there is no advanced life support offered by the voluntary rural fire district, and the tract is nowhere near the Waverly schools.

4. Mr. Katt suggested that his client was providing a "special benefit" that should be considered in this case; he is willing to reserve land on the east edge of his tract for a future community park. Planning staff does not see any special benefit here. The land is not being donated to the City, just "reserved" for future sale. The bulk of the land shown in the site plan for the park is in the 100-year floodplain of Stevens Creek, which is technically difficult and financially not feasible to fill for development at this time. And by the build-through standards, CUPs cannot use more than 40 percent of the land on a tract for immediate development; the remainder is required to be reserved until urban services are available.

5. One of the applicant's agents was equivocal on whether or not his client will pave 134th Street to RUTS standards. According to their site plan, they are only planning to extend the paving on 134th Street about 1/4 mile south to the south entrance of their proposed subdivision. I am sure he will argue when these lots are platted that is not enough road length to justify RUTS standards. The remaining 1/4 mile south to A Street, and A Street itself, east and west of 134th Street, will remain gravel. While the majority of traffic will use the paved sections, some of the 400-500 or so daily trips to and from these 48 lots will use the remaining gravel roads, and accelerate the need for the County to pave those streets (with 85% of their funds coming from City taxpayers) sooner than otherwise.

6. Mike Eckert, speaking for the applicant in response to my comment about package plants being notorious for failures, indicated that Firethorn was not a good example because it was 25 years old. But our understanding is that Firethorn is not replacing a 25-year old system; they are currently on their
third treatment system, and a main reason for annexing is to avoid building a fourth system.
Other small community treatment systems have failed in more recent years, including Long
View, Meadow View, and Caldwell Woods.
DIRECTORS’ MEETING
MINUTES
MONDAY, MAY 14, 2007
11:00 A.M.
COUNTY/CITY BUILDING
CONFERENCE ROOM 113

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

Others Present: Mayor Coleen Seng, Mark Bowen, Ann Harrell, Lin Quenzer, Darl Naumann, Mayor’s Office; City Clerk Joan Ross; Dana Roper, City Attorney; Directors and Department Heads; Doug Emery, John Spatz, Newly Elected City Council Members; Tammy Grammer, City Council Staff; Deena Winter, Lincoln Journal Star Representative; and Coby Mach, LIBA.

Meeting convened at 11:00 a.m.

Location Announcement of the Nebraska Open Meetings Act: A Copy of the Nebraska Open Meetings Act is Located on the Wall at the Rear of this Room.

I. MAYOR -

Mayor Coleen Seng had nothing to report. Mayor Seng called on Directors.

Marvin Krout (Planning Director) stated he has a follow up memo of some additional information requested by Council member Newman about the case at 134th & “A” Streets. He believes that Peter Katt has asked Council for a referral on this item until some dates in July and for the hearing to be continued, Mr. Katt will have a chance to give them additional information. This has to do with some of the issues that came up at the meeting about the 2002 Plan and what did that mean and what did a grouping mean in the Comprehensive Plan at that time. Since that time, they did a study called the Cost of Rural Services and talked about the subsidy basically that city taxpayers are providing to have adequate sheriff and road services out in the County. He thought this would be helpful to them as they deliberate over the next couple of months and if they have any questions let him know. [#8, 07-58, Change of Zone 07010 - Application of Steve M. Champoux for a change of zone from AG Agricultural District to AGR Agricultural Residential District on property generally located at 134th and A Streets.]

Mayor Seng thanked everyone for everything they’ve been doing for the City.

1. NEWS RELEASE - RE: Mayor Presents Award of Excellence for April to a Team from the Lincoln Police Department on 05/07/07. — NO COMMENTS
2. NEWS ADVISORY - RE: Mayor Seng, with Lincoln Water System Officials and Mayor’s Water Conservation Task Force Members’ New Conference on 05/10/07 at 10:00 a.m. at the Lincoln Water System Office, 2021 No. 27th Street. — NO COMMENTS

3. NEWS RELEASE - RE: Mayor Announces Winners of Annual Water Conservation Art Contest. — NO COMMENTS

4. NEWS RELEASE - RE: Mayor Seng and the Water conservation Task force Dedicate Waterwise Garden at 2021 No. 27th Street. — NO COMMENTS

5. NEWS RELEASE - RE: Mayor Calls for Voluntary Water Conservation. — NO COMMENTS


II. DIRECTORS -

HEALTH

1. NEWS RELEASE - RE: Household Hazardous Waste Collection and Latex Paint Exchange. — NO COMMENTS

2. Physician Advisory - RE: Shigellosis. — NO COMMENTS

PLANNING COMMISSION FINAL ACTION ....

1. Comprehensive Plan Conformance #07009 - Permanent Conservation Easements - Apples Way and Highway 2 - Resolution No. PC-01049. — NO COMMENTS

2. Special Permit #07012 - Early Childhood Care Facility - N.W. 1st Street & W. Highland Boulevard - Resolution No. PC-01052. — NO COMMENTS

3. Use Permit #154C - Wilderness Hills Commercial Center - Southeast of S. 27th Street & Yankee Hill Road - Resolution No. PC-01050. — NO COMMENTS

4. Use Permit #123E - Landmark Corporate Center - N. 33rd Street & Folkways Boulevard - Resolution No. PC-01051. — NO COMMENTS
PLANNING

1. Response to Mr. Tony Young on his Letter with Comments and Concerns Relating to Roads and Traffic Issues in the Fallbrook Area. — NO COMMENTS

2. Invitation to the Capital Improvements Program (CIP) “Planning Commission Briefing” on 05/09/07 from 11:45 am to 12:45 pm at the County-City Building, Room 113. — NO COMMENTS

PUBLIC WORKS & UTILITIES

1. ADVISORY - RE: Water Main Project #700297. Northwest 56th Street from Fletcher Avenue North Approximately 1,000 Feet. — NO COMMENTS

2. ADVISORY - RE: Storm Drainage Project #702264 to start - 70th Street & A Street - Brentwood Estates. — NO COMMENTS

3. Memo from Nicole Fleck-Tooze - RE: Item 07R-102 - Amendments to the Design Standards for Construction Site Discharges. — NO COMMENTS

URBAN DEVELOPMENT

1. Street & Alley Vacation #06009 - North/South Alley, North Cotner Boulevard & Garland Street. — NO COMMENTS

2. Street & Alley Vacation #06011 - North/South Alley, 27th and 28th Streets North of Vine Street. — NO COMMENTS

3. Street & Alley Vacation #07002 - Lowell & Prescott Avenues at 51st Street. — NO COMMENTS

III. CITY CLERK -

City Clerk Joan Ross stated on their Agenda today for the present Council, Items 1 & 2 will be called together. [#1, Application of CaNaKa, Inc. dba The Restaurant Featuring The Other Room for a Class C liquor license at 500 West Gate Boulevard.; and #2, Manager application of Michael J. Michel for CaNaKa, Inc. dba The Restaurant featuring The Other Room at 500 West Gate Boulevard.]

She noted they can see on the new Council how that will progress.
IV. COUNCIL REQUESTS/CORRESPONDENCE -

JON CAMP - No Comments

JONATHAN COOK - No Comments

ROBIN ESCHLIMAN - No Comments

DAN MARVIN - No Comments

ANNETTE McROY -

1. Request to Mike Merwick, Building & Safety Director/Michaela Hansen, Public Works & Utilities-Impact Fee Administrator - RE: Property at 543 Lamont (McRoy RFI#178 - 04/27/07 - 1.) SEE RESPONSE FROM MIKE MERWICK, BUILDING AND SAFETY DEPARTMENT DIRECTOR ON McROY RFI#178. — NO COMMENTS

KEN SVOBODA - No Comments

PATTE NEWMAN - No Comments

1. Email from John Rink - RE: Questioning Burned Home at 926 South 10th Street and Asking for Assistance to Resolve Vandalism Occurring. — NO COMMENTS

V. MISCELLANEOUS -

1. Email from Tony Young, with attachments for the CIP “Planning Commission Briefing”:
   1a. Aerial photo of area in Mr. Young’s email; and
   1b. Letter to the City of Lincoln, Planning Department, regarding traffic concerns in the Fallbrook area and Highway 34 and No. Fletcher Intersection. — NO COMMENTS

2. Email from Shannon McGovern - RE: Supporting drag racing with attachments of:
   2a. NHRA Youth & Education Services; and
   2b. NHRA Serving and Educating the Youth of America Through Drag Racing. — NO COMMENTS
3. Email from Shannon McGovern with program suggestion for our area attachment:
   3a. Beat The Heat Program Informational Article. — NO COMMENTS

4. Email from Shannon McGovern with attachments - RE: Lancaster County had land
   zoned for a race track:
   4a. Application for Special Permit, #254, March 29, 1963; and
   4b. Map of Section 32-T.11N.-R.7E North Bluff. ---- NO COMMENTS

5. Email from Bob Hallstrom, NBA General Counsel - RE: The neglected building
   ordinance (Copy distributed to City Council Members on 05/07/07). — NO
   COMMENTS

6. Email from Ross Wunderlich - RE: Paving of gravel roads with the City limits and
   And sharing the cost. — NO COMMENTS

7. Email from Darin Rich - RE: Proposed acreage development at 134th & A Streets. —
   NO COMMENTS

8. Email from Shannon McGovern - RE: Support of Special Permit #06051 - Motorsports
   equals economic development. — NO COMMENTS

9. Email from Lynn Darling - RE: Proposed building code change seriously needed. —
   NO COMMENTS

ADDENDUM - (May 14th)

I. MAYOR -

1. NEWS ADVISORY - RE: Mayor Seng’s Public Schedule May 12, 2007. — NO
   COMMENTS

2. NEWS RELEASE - RE: Highway 2 Truck Restrictions To Help Traffic Flow. — NO
   COMMENTS

II. CITY CLERK - NONE
III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE -

PATTE NEWMAN

1. E-Mail to Marvin Krout, Planning Director - RE: Item #8, 07-58, Change of Zone #07010 - 134th & A Streets. — NO COMMENTS

B. DIRECTORS AND DEPARTMENT HEADS -

PLANNING

1. Response Memo from Marvin Krout to Ms. Newman - RE: Change of Zone #07010, Bill #07-58 (Third Reading, 5/14/07) (134th & A Streets). — NO COMMENTS

C. MISCELLANEOUS - NONE

[End of Addendum]

VI. MEETING ADJOURNED - Approximately at 11:07 a.m.