IN LIEU OF
DIRECTORS’ MEETING
MONDAY, FEBRUARY 25, 2008

I. MAYOR
*1. Fiscal Impact Statement from Urban Development.
*2. NEWS RELEASE. Mayor Presents January Award of Excellence to Jay Edmiston and Leroy Rosenthal.
*3. NEWS RELEASE. Internet Reality Show to Feature Lincoln.
*4. NEWS ADVISORY. Mayor Beutler’s News Conference on Seeking Public Opinion on City Budget Outcomes, Tuesday, February 12, 2008 at 10:00 am in the Mayor’s Conference Room, 555 South 10th Street.
*5. NEWS RELEASE. City to Seek Public Input on Budget Priorities.
*6. NEWS ADVISORY. Mayor Beutler Announcing Projects Funded This Year from the Lincoln Cares Program at a News Conference. February 14, 2008 at 10:15 am at Ager Indoor Play Center in Antelope Park.
*7. NEWS RELEASE. New Projects Announced for “Lincoln Cares” by Mayor Chris Beutler.

Received for Week of February 25, 2008
1. NEWS RELEASE. Report Shows Increase in Employment Discrimination Complaints.
2. NEWS ADVISORY. Mayor Shows Increase in Employment Discrimination Complaints.
3. NEWS ADVISORY. Mayor Beutler’s Public Schedule for Week of February 16 Through February 22, 2008. (Distributed to Council Members on 02/15/08)
3. NEWS RELEASE. Deadline Extended for Arts Awards Nominations.
4. NEWS ADVISORY. Mayor Beutler and NeighborWorks®Lincoln Officials News Conference. Thursday, February 21, 2008, 10:00 am at 555 South 10th Street.
5. NEWS RELEASE. Uncle Same Jam 2008 to Again Feature Symphony at Oak Lake Park.
6. NEWS RELEASE. NeighborWorks®Lincoln Urges Homeowners to Call for Help During National Home Ownership Month.

II. DIRECTORS

HEALTH DEPARTMENT

PLANNING COMMISSION

Received for Week of February 25, 2008
PLANNING COMMISSION FINAL ACTION  Received for Week of February 25, 2008

PUBLIC WORKS AND UTILITIES  Received for Week of February 25, 2008
1. Water Main Project #700304. North Side of D Street; 9th - 12th Street

URBAN DEVELOPMENT  Received for Week of February 25, 2008
1. Antelope Valley R & D Corridor Public Meeting, February 28, 2008 at 7:00 pm at The Cornhusker Marriott Hotel, 333 South 13th Street, Lancaster Room.

III. CITY CLERK  Received for Week of February 25, 2008

IV. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP  Received for Week of February 25, 2008
1. Letter from Sharon D. Cook. Comments Regarding the Dead Man’s Run Watershed Project.

DOUG EMERY
*1. Letter from Rose Dudley. Concerns over Restructuring the Creek in Taylor Park.
*2. Letter from Bob Bechtolt. Do Not Feel Deadman’s Run Flood Plan is Pressing.

ROBIN ESCHLIMAN  Received for Week of February 25, 2008
1. Request to Greg MacLean, Public Works & Utilities Director; and Roger Figard, Public Works & Utilities Dept. - RE: SW 40th Bridge Project - (RFI#12 - 02/15/08) SEE RESPONSE FROM ROGER FIGARD, PUBLIC WORKS & UTILITIES (02/21/08)
2. Request to Lin Quenzer, Mayor's Office - RE: Graffiti Problem - (RFI#13 - 02/15/08)
3. Request to Greg MacLean, Public Works & Utilities Director - RE: Dangerous Intersections Update - (RFI#14 - 02/15/08)
V. MISCELLANEOUS

*1. Correspondence from T. Misho. Suggestion for Environmental Impact on Earth Day.

*2. Correspondence Received through InterLinc Action Center. Have LES Quit Advertising and Give Citizens a Rate Decrease. (Delivered to Council Members before Formal Meeting on 02/11/08)

*3. Email from Lois Poppe Thanking Council for Services and Decision Reached for the Current and Future Citizens of Lincoln. (Delivered to Council Members before Formal Meeting on 02/11/08)


*5. Email from J. Douglass Opposing LES Rate Hike.


*7. Correspondence Received Ms. Juarez.

Received for Week of February 25, 2008

1. Email from Ted Scott. Comments and Web Address Regarding Impact Fees.

2. Email from Roma Wieckhorst. Supporting LES Energy Conservation and Allocating $1 Million for Energy Efficiency.

3. Email from Wilfred Marks. Need Solutions to Provide Elderly and Poor with Energy as LES Raises Electric 5.5% and Social Security May Receive 2.3% Increase.

4. Email from Jerry Wolf. Reduce the City Budget by Replacing City Employee Retirement Program with a Different Plan.

5. Letter and Photos Delivered to City Council. Reject Installing Sidewalk on Property at 2441 No. Main Street, Lincoln, NE. with Reasons and Photos to Reject. (Delivered to Council Members on 02/19/08)

6. Correspondence from Gary Heusel through InterLinc Council Feedback. Does Time Warner have No Accountability for Not Providing Services for Which We Pay More Than Comparable Service in Omaha?

7. Email from Johno. Where is Our Lw Enforcement With Examples of Offenders.

8. Email from Marilyn McNabb. E. N. Thompson Lecturer States Lincoln Electric System Should Spend 4% to 5% of Budget on Energy Efficiency, with Web Address.


10. Email from R. Scott Sandquist. Comments and Suggestions for Jail Location Saving Taxpayer Dollars.

11. Letter from Wilderness Kennels, Henry and Judy Sader, on Bids Submitted to Handle City/County Stray Animals with Price Comparison and Newspaper Article. (Delivered to Council Members on 02/20/08)

12. Email from Amy Rose Brt. Message on Climate Crisis with Suggestion for Earth Hour 2008 of Turning Off Lights for One Hour. Also Included are Websites for Climate Crisis Coalition and Earth Hour 2008.


VI. ADJOURNMENT

* Held Over from 02/18/08
REPORT SHOWS INCREASE IN EMPLOYMENT DISCRIMINATION COMPLAINTS

The number of employment discrimination complaints received by the Lincoln Commission on Human Rights (LCHR) in 2007 was 21 percent higher than the number received in 2006, increasing from 72 to 91. The LCHR annual report also shows that the total number of cases filed is holding steady from 112 in 2006 to 113 in 2007, while the number of housing discrimination cases dropped from 32 in 2006 to 17 in 2007.

“These statistics don’t tell us if cases of discrimination are increasing or decreasing in our community,” said Larry Williams, LCHR Executive Director. “We place a great deal of emphasis on our public education efforts, and awareness of legal rights and responsibilities plays a big role in the number of complaints.”

LCHR staff conducted 65 educational outreach and training sessions in 2007, reaching more than 3,000 people. Its annual free Fair Housing Conference usually draws more than 300 people. This year’s conference is March 25 and 26 at the Embassy Suites. LCHR also meets with career education classes in each of the Lincoln high schools four times a year.

“We’ve been working with the Lincoln Public Schools to take our outreach efforts to our elementary and middle schools throughout the City,” said Williams. “To end discrimination, we must do more than enforce the law. We also must provide opportunities for all people in our community to reflect on their own attitudes, perceptions and beliefs through education and communication.”

More than 52 percent of LCHR’s annual budget comes from grants sources, such as the federal Equal Employment Opportunity Commission and Housing and Urban Development Department. LCHR received $140,222 in City general fund dollars in fiscal year 2006-2007, about .12 percent of the City’s total general fund budget.

“Our job is to make sure everyone in the community is treated equally and fairly,” said Williams. “We have a responsibility to use our financial resources wisely to accomplish that goal, and leveraging City dollars with outside funding is one of the ways we do that.”

- more -
Other findings from the LCHR annual report:

- More than $64,000 in monetary settlements were obtained for clients in 2007, compared to $20,000 in 2006.
- Five public accommodation complaints were filed in 2007, compared to eight in 2006.
- About 31 percent of the 2007 cases include race as the basis of discrimination, compared to 23 percent in 2006.
- About 18 percent of the 2007 cases include sex as the basis of discrimination, compared to 21 percent in 2006.

Williams encouraged groups or individuals who want to learn more about the Commission and its work to contact LCHR at 441-7624 and visit the City Web site at lincoln.ne.gov (keyword: rights). The 2007 annual report and information about the upcoming Fair Housing Conference also are available on the Web site or by calling LCHR.
Mayor Beutler’s Public Schedule
Week of February 16 through 22, 2008
Schedule subject to change

Tuesday, February 19
• Luncheon with Richard Louv, author of “Last Child in the Woods” - 11:45 a.m., Lied Center, 12th and “R” streets (second floor Orchestra Lobby)
• Proclamation for Health Insurance Awareness Month - 4:15 p.m., Mayor’s Conference Room, 555 S. 10th St.
• Proclamation for Engineers Week - 4:30 p.m., Mayor’s Conference Room
• Louv at the Lied – Addressing the Human Connection to Nature, remarks - 7 p.m., Lied Center

Wednesday, February 20
• Workwell, Inc. award presentation to Robert Duncan - 11:30 a.m., Lincoln-Lancaster County Health Department, 3140 “N” St. (Health Department Training Center, second floor)
• Nebraska Power Association conference, remarks - 1 p.m., Embassy Suites, 1040 “P” St.

Thursday, February 21
• News conference - 10 a.m., topic and location to be announced

Friday, February 22
• Nebraska State Bar Association Leadership Academy, panel discussion participant - 2:45 p.m., State Capitol Building, room 1126
DEADLINE EXTENDED FOR ARTS AWARDS NOMINATIONS

The Lincoln Arts Council (LAC) has extended the deadline to submit nominations for the 30th annual Mayor’s Arts Awards by one week. The nomination deadline is now February 22, 2008. The awards will be presented the evening of Tuesday, June 3, 2008 at the Lied Center for Performing Arts. The Mayor’s Arts Awards program formally recognizes artistic contributions and achievements in the Lincoln area. Union Bank and Trust Company will again be the presenting sponsor.

Nomination forms are available by calling the LAC at 434-2787 or printing a form from the LAC Web site: www.artsscene.org. A list of previous winners also is available at that Web site.

The award categories are:

- The **Arts Organization Award** recognizes an arts group that has made significant contributions to Lincoln’s arts community over a period of years.
- The **Artistic Achievement Award - Visual Arts** recognizes excellence and accomplishment in any of the visual arts.
- The **Artistic Achievement Award - Youth** recognizes excellence and accomplishment in any arts discipline by a young person age 18 or younger.
- The **Artistic Achievement Award - Performing Arts** recognizes excellence and accomplishment in any of the performing arts.
- The **Gladys Lux Education Award** recognizes special initiatives or dedication to arts education.
- The **Heart of the Arts Award** recognizes an individual or organization for outstanding volunteer dedication to the arts or for making a major overall impact on the arts in Lincoln.
- The **Outstanding Event Award** will now be presented every other year. It will rotate with the **Cultural Celebration Award**, which recognizes artistic work that has fostered an appreciation of a specific culture or cultures through the arts. (The award judges will decide which award is presented.)
- The **Halcyon Allsman Benefactor of the Arts Award** honors an individual, family, organization or business making significant financial contributions to the arts in Lincoln.
The Oliva “Arts for Kids” Award honors an individual from outside of the arts professions whose leadership has enhanced arts activities and experiences for children.

The Literary Heritage Award recognizes a writer or individual who promotes excellence in writing and literature in Nebraska.

The Larry Enersen Award recognizes outstanding urban design in Lincoln.

A Mayor’s Choice Award will also be presented.

The year’s award will be created by jewelry artist Sydney Lynch, who won the 2007 Mayor’s Arts Award for Artistic Achievement - Visual Arts.

The public also is encouraged to submit names of members of the Lincoln arts community who have died since the last awards ceremony in June 2007 for memorial recognition at the event.
Mayor Chris Beutler will be joined by officials from NeighborWorks® Lincoln at a news conference at 10 a.m. Thursday, February 21 in the Mayor’s Conference Room, County-City Building, 555 S. 10th St.

Mayor Beutler and NeighborWorks® Lincoln officials will discuss assistance available to Lincoln homeowners who are at risk of foreclosure.
UNCLE SAM JAM 2008 TO AGAIN FEATURE SYMPHONY AT OAK LAKE PARK

Mayor Chris Beutler today announced that for the third consecutive year, the City’s official 4th of July celebration – Uncle Sam Jam 2008 – will feature a live performance by Lincoln’s Symphony Orchestra (LSO) at Oak Lake Park, 1st and Charleston streets.

LSO Executive Director Barbara Zach anticipates a festive holiday evening as Lincoln’s Symphony Orchestra kicks off its 82nd year with another free patriotic show for the citizens of Lincoln.

“Lincoln’s Symphony Orchestra is proud to be a part of a celebration that brings together all segments of our community,” said Zach. “We look forward to this year’s Uncle Sam Jam with great anticipation.”

Mayor Beutler said the closing of the Harris Overpass was considered in the decision to keep the event at Oak Lake Park, where the event has been held since 2003. He said the established detour routes are functioning well, and the City may add more shuttles for those attending the 4th of July activities.

“Oak Lake Park has proven to be an excellent site for the 4th in terms of accessibility, parking and traffic flow,” said Beutler. “Those attending have a number of options, such as parking downtown and using the free shuttle buses. The adjacent neighborhoods and property owners have really embraced this event. And we’ve all seen what a great place it is to watch a performance by Lincoln’s Symphony Orchestra.”

Specific plans and activities for the Uncle Sam Jam celebration will be announced in June.
For Immediate Release: February 21, 2008
Contact: Michael Snodgrass, Executive Director 477-7181, msnodgrass@nwlincoln.org

NeighborWorks® Lincoln Urges Homeowners to Call for Help during National Home Ownership Month

NeighborWorks® Lincoln urges local homeowners at risk of foreclosure to take the first step to avoid losing their biggest investment – call for help. By calling 1-888-995-HOPE (4673) or 477-7181, Lincoln homeowners can receive foreclosure counseling from agencies like Neighborworks® Lincoln, who are certified by the U.S. Department of Housing and Urban Development (HUD).

With the help of a counselor, a homeowner can work with the lender to develop a reasonable action plan that will offer relief to the borrower. By calling 1-888-995-HOPE, homeowners can receive one-on-one counseling; assistance in bridging loans to help catch up after falling behind in payments; advice on refinance options; and information on rehabilitation loans for repairs and maintenance.

“We must do all we can to ensure home ownership is not built on quicksand. The earlier that financially distressed homeowners reach out for assistance, the more options they have to address their mortgage issues and potentially avoid foreclosure,” said Michael Snodgrass, Executive Director, NeighborWorks® Lincoln.

Industry studies show the foreclosure rate on mortgage loans has increased by more than 50 percent since 2000. “Foreclosures nationally reached a record high in 2007 and will increase by as much as two million nationally in 2008,” said Steve Hermes, North Central District communications and public affairs representative for NeighborWorks® America. “The foreclosure problem is largely the result of some sub-prime lending practices and the unpreparedness of borrowers.”

Property values steadily increased and interest rates held near historic lows the past few years. Hermes said that as buyers rushed into home ownership, many were tempted by inappropriate loan products that appeared to be low-cost. As interest rates have climbed nationwide, tens of thousands of homeowners have been shocked by monthly payment increases they now cannot afford. Many Lincoln families also face foreclosure as the result of a job loss, reduction in income or health emergency.

“Here in Lincoln, we saw about 1,000 home foreclosures last year. That’s twice the rate of foreclosures we saw only a couple of years ago,” said Mayor Chris Beutler. “But our community is fortunate to have an organization like NeighborWorks® Lincoln that is ready and able to step in and help.”

NeighborWorks® Lincoln is a non-profit, community-based housing organization dedicated to community revitalization through an active partnership of resident leaders, private businesses and public officials. More information is available at nwlincoln.org or by calling 477-7181.

- 30 -
CONGRESS
Congress adjourns for Presidents Day recess. Both the House and Senate will be in recess next week in observation of Presidents Day. When they return, Members are expected to face a variety of issues, most notably the start of the FY 2009 budget process.

To the dismay of the President, the House adjourned without acting on legislation to extend federal electronic surveillance authority under the Foreign Intelligence Surveillance Act (FISA). A temporary surveillance law that has been in use since August is set to expire on February 16, but House Democrats are still at odds with the President over the issue of granting retroactive immunity to telecommunications companies who are being sued for allegedly participated in the spy program after September 11, 2001.

Congress may also be voting on a new Farm Bill upon their return, as House-Senate negotiators believe they are close to a deal with the White House on farm subsidy programs that are set to expire on March 15. Congress has rejected the Bush Administration proposal to drastically revamp crop subsidies and hopes to find revenue offsets for an additional $12.5 billion in proposed spending on land conservation, nutrition, alternative energy, and disaster aid programs.

In addition, the House Budget Committee is expected to begin deliberations on a FY 2009 budget resolution. The resolution, which does not require Presidential approval, sets a broad outline of spending under which the Appropriations Committees must operate. It is supposed to be completed by April 15 each year, but that date has rarely been met in recent years. In the meantime, appropriations subcommittees continue to hold hearings on federal agency budgets under their jurisdiction, and House Members have been told that their earmark requests will be due in mid-March.

AVIATION
Congress clears temporary FAA extension. The House of Representatives approved by voice vote this week legislation (HR 5270) that would extend the authority of the Federal Aviation Administration (FAA) to collect taxes on airline tickets through June 30, 2008. The Senate followed suit two days later, clearing the measure for the President.

Legislation to reauthorize FAA programs has been stalled for several months, and an extension approved by Congress late last year was scheduled to expire on February 29. While the House approved its version of an FAA bill last year, disagreements between the Senate Finance Committee and the Senate Commerce Committee on the best method to collect airline taxes has delayed the measure in that chamber.

The Bush Administration has proposed replacing the current system of taxes on fuel and tickets with fees collected on usage, claiming that the shift in the fee structure is necessary to upgrade the current, outdated air traffic control system.

Another extension is likely to be necessary in June, as Senator John D. Rockefeller (D-WV), the Chairman of the Senate Commerce
Subcommittee on Aviation, indicated this week that an agreement this year is not likely.

**TELECOMMUNICATIONS**

House legislation would limit taxation authority over pay-television services. Chairman John Conyers (D-MI) of the House Judiciary Committee introduced legislation (HR 3679) recently that would limit the ability of states and local governments to charge different tax rates for satellite or Internet-based television services than cable television service.

The legislation states that “no State shall impose a discriminatory tax on any means of providing multi-channel video programming distribution services, including Internet protocol (or any successor protocol), direct broadcast satellite delivery, and cable television services.” It is essentially designed to prevent a practice in which some states and local governments charge higher tax rates for satellite TV than for cable.

This week, the National Governors’ Association testified before the House Judiciary Committee in opposition to the measure, claiming that is an intrusion on state sovereignty and that higher tax rates for satellite are used in some cases to mitigate the competitive advantage satellite providers have over cable. The satellite TV industry argues that those competitive advantages amount to the fact that they do not pay local franchise fees, which satellite does not pay because they do not use public rights-of-way.

Conyers hopes to move his bill out of committee in the next few weeks. There is no companion bill in the Senate.
Historic Preservation Commission

The City of Lincoln Historic Preservation Commission will hold a scheduled public meeting on Thursday, **February 21, 2008.** The meeting will convene at **1:30 p.m.** in **Room 206, 2nd floor, County-City Building,** 555 S. 10th Street, Lincoln, Nebraska, to consider the following agenda. For more information, contact the Planning Department at 441-7491.

**February 21, 2008**


2. Opportunity for persons with limited time or with an item not appearing on the agenda to address the Commission.

**PUBLIC HEARING AND ACTION**

3. Application for landmark designation of Phi Kappa Psi House, 1548 S Street, in the Greek Row National Register District.

4. Application for landmark designation of Sigma Chi House, 1510 Vine Street, in the Greek Row National Register District.

5. Application for landmark designation of Lewis-Syford House, 700 North 16th Street, individually listed on the National Register and within the Greek Row National Register District, and acceptance of a preservation easement on the property.

6. Application for a certificate of appropriateness for work at Scooter’s Coffee House, 151 N. 8th Street in the Haymarket Landmark District.

**Continued Public Hearing (from January)**

7. Application for a certificate of appropriateness for work at the Grand Manse (formerly Old Federal Building), 129 N. 10th Street.

**DISCUSSION**

8. Staff report: NSHS Economic Impact of Historic Preservation report; HP Fund Application (March meeting); etc.


For further information on Historic Preservation in Lincoln, visit [http://www.lincoln.ne.gov/city/plan/hist/index.htm](http://www.lincoln.ne.gov/city/plan/hist/index.htm)
MEMORANDUM

TO: City Council
Lancaster County Board of Commissioners
Mayor Beutler
Planning Commission

FROM: Marvin Krout, Planning Director

SUBJECT: Residential Land Inventory & Single Family Lots As of January 1, 2008

DATE: February 21, 2008

COPIES: Mayor's Office, Public Works and Planning staff
Development Community mailing list

We have completed our twice a year inventory of residential developments approved and in process for new dwelling units in the 2030 Future Service Limit of the Lincoln/ Lancaster County Comprehensive Plan. The inventory of units in process remains quite high at 16,903 units of single family, single family attached (townhomes) and multi-family housing.

Most notably the supply of lots for single family detached homes approved or in process reached an all-time high of 8,650 lots. This compares to just four years ago, when the inventory was 5,316 at a time when the City was building well over 1,000 units a year.

As shown in the second attachment, building permits for single family detached homes fell to 569 in 2007, compared with 794 in 2006 and 958 in 2005. The three year average is now 774 single family homes per year, compared to the 5 to 15 year average of around 1,000 units.

Thus our supply of single family lots in the pipeline (8,650) could last over 11 years at an average of 774 homes per year. Even if demand returns to the 1,000 units annual average in 2009, we would still have a supply that could last over 8 years.

The supply of lots for multi-family and townhome units overall is also quite sufficient for the moment. There are approximately 3,800 townhome units in process to meet the 3 year average of about 300 units per year - or at least a 12 year supply. The multi-family supply of 4,450 could last about 10 years at the recent average. This is particularly true when it appears that there are a number of newly built vacant apartment units throughout Lincoln.

We hope this information will be useful to members of the development community as they consider development of additional units in the next year. More information on housing and other trends in the community will be available in late April when the annual "Community Indicators Report" is released.

Q:\CC\residential land inventory memo Feb 2008.wpd
## Residential Land Inventory Review

### As of January 1, 2008

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<td>4,769</td>
<td>4,275</td>
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<td>5,266</td>
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<td>5,035</td>
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<td>Submitted Prelim</td>
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<td>1,093</td>
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<td>3,794</td>
<td>4,268</td>
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<td>1,933</td>
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<td>969</td>
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<td>2,264</td>
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<td><strong>Total Final, Prelim &amp; Submitted</strong></td>
<td>16,503</td>
<td>15,589</td>
<td>15,873</td>
<td>15,817</td>
<td>14,797</td>
<td>13,355</td>
<td>11,146</td>
<td>11,299</td>
<td>13,048</td>
<td>12,419</td>
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<td><strong>Grand Total of Possible Units</strong></td>
<td>52,108</td>
<td>52,863</td>
<td>53,170</td>
<td>49,584</td>
<td>50,126</td>
<td>50,028</td>
<td>52,446</td>
<td>63,286</td>
<td>53,197</td>
<td>55,154</td>
<td>56,241</td>
<td>56,794</td>
<td>36,971</td>
<td>37,202</td>
<td>38,283</td>
<td>43,384</td>
<td>42,588</td>
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### Notes:
- "Potential Units on Raw Land" means land inside the "Future Service Limit" of the Comprehensive Plan, but not upon which a plat has not yet been submitted or approved.
- Grand Total is the sum of "potential units on raw land" plus all final, preliminary approved and submitted dwelling units.

Source: Lincoln Lancaster County Planning Department (February 5, 2006)
### Number of New Construction Dwelling Units, Based on Building Permits Issued in City of Lincoln
Fifteen Year Period: 1993-2007

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<tr>
<td>Single Family</td>
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<td>794</td>
<td>958</td>
<td>1,227</td>
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<td>1,015</td>
<td>996</td>
<td>814</td>
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<td>741</td>
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<td>Sing. Fam. Attached</td>
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<td>461</td>
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<td>256</td>
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<td>243</td>
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<td>Duplex</td>
<td>6</td>
<td>14</td>
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<td>62</td>
<td>52</td>
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<td>54</td>
<td>102</td>
<td>62</td>
<td>40</td>
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<tr>
<td>Multi-Family</td>
<td>314</td>
<td>841</td>
<td>192</td>
<td>403</td>
<td>260</td>
<td>540</td>
<td>319</td>
<td>381</td>
<td>489</td>
<td>622</td>
<td>1,010</td>
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<td>919</td>
<td>761</td>
<td>524</td>
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<td><strong>Total</strong></td>
<td>1,163</td>
<td>1,876</td>
<td>1,552</td>
<td>2,153</td>
<td>2,410</td>
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<td>1,752</td>
<td>1,737</td>
<td>1,859</td>
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<td>2,197</td>
<td>1,878</td>
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### Average Per Period

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<th>3 Year</th>
<th>5 Year</th>
<th>10 Year</th>
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<td>Single Family</td>
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<td>1,023</td>
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<td>Sing. Fam. Attached</td>
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<tr>
<td>Duplex</td>
<td>21</td>
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<tr>
<td>Multi-Family</td>
<td>449</td>
<td>402</td>
<td>436</td>
<td>583</td>
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<tr>
<td><strong>Total</strong></td>
<td>1,530</td>
<td>1,831</td>
<td>1,839</td>
<td>1,872</td>
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Note: Based on building permits issued, not actual construction and occupancy. There are some permits issued, particularly in multi-family, that are never built.

- Year is based on date permit issued, not date of completion and occupancy
- "Single Family" is a single family detached unit on a single lot.
- Single Family attached is defined as one dwelling unit on a single lot attached by a common wall to one or more other dwelling units.
- Duplex is two dwelling units built on one lot.
- Multi-family is three or more units built on a single lot, typical of apartments or condominiums.

Source: Lincoln/Lancaster County Planning Department (Updated January 29, 2008)
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
     Lincoln City Council

FROM : Jean Preister, Planning

DATE : February 19, 2008

RE : Special Permit No. 08007
     (Expansion of nonconforming use - 48th & Meredith Streets)
     Resolution No. PC-01095

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, February 13, 2008:

Motion made by Cornelius, seconded by Francis, to approve Special Permit No. 08007, with conditions, requested by Olderbak Enterprises North LLC, for authority to expand a nonconforming use to increase the area where the sale of alcoholic beverages for consumption off the premises is allowed, on property located northwest of the intersection of S. 48th Street and Meredith Street.

Motion for conditional approval carried 7-0: Taylor, Esseks, Moline, Francis, Gaylor-Baird, Cornelius and Carroll voting 'yes' (Larson and Sunderman 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.

On February 13, 2008, the Planning Commission also voted 7-0 to recommend approval of the associated Change of Zone No. 08003 from O-2 Suburban Office District to B-3 Commercial District.

Please Note: On February 19, 2008, Keith Sackschewsky (the owner of 4716-4718 Meredith Street) requested that the special permit be appealed to the City Council. Therefore, both the change of zone and special permit will be scheduled for public hearing before the City Council on Monday, March 3, 2008, 1:30 p.m.

Attachment

cc: Building & Safety
    Rick Peo, City Attorney
    Public Works
    Chris Pischel, 4001 S. 8th Street, Suite 101, 68502
    Olderbak Enterprises North LLC, 2840 S. 74th Street, 68506
    Foster Investment LLC, 3500 Frost Court, 68510
    Kelly Tollefson, Attorney, 201 N. 8th Street, Suite 300, 68502
    Doug Krogman, Krogman Tile, 4723 Lowell Avenue, 68506
    Keith Sackschewsky <ksackschewsky@aol.com>
    Mike Dennis, S. 48th Street Neighborhood Assn., 1845 S. 48th Street, 68506
    Virginia Loomis Lipharm, S 48th Street Neighborhood Assn., 3412 S. 48th Street, 68506

i:\shared\wpjlu\2008 ccnotice.sp\SP.08007
RESOLUTION NO. PC-01095

SPECIAL PERMIT NO. 08007

WHEREAS, Olderbak Enterprises North LLC has submitted an application designated as Special Permit No. 08007 for authority to expand a nonconforming use to increase the area where the sale of alcoholic beverages for consumption off the premises is allowed on property generally located at northwest of the intersection of S. 48th Street and Meredith Street, and legally described as:

Lots 10-12, Block 39, College View, 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 expansion of a non-standard area and sale of alcoholic beverages for consumption off the premises 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:

1. Grant Special Permit No. 08007 to Olderbak Enterprises North LLC for the expansion of the nonconforming use as described in the application.
2. Require compliance with the terms and conditions set forth in the site plan.
3. Ensure that the surrounding community and property are not adversely affected.
4. Promote the public health, safety, and general welfare as outlined in Title 27 of the Lincoln Municipal Code.
That the application of Olderbak Enterprises North LLC, hereinafter referred to as "Permittee", to expand a nonconforming use to increase the area where the sale of alcoholic beverages for consumption off the premises is allowed on property described above be and the same is hereby granted under the provisions of Section 27.63.280 of the Lincoln Municipal Code upon condition that construction of said area be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This approval permits the reconstruction of a nonconforming use, and permits the sale of alcohol for consumption off the premises.

2. The City Council must approve the associated request, Change of Zone #08003.

3. Upon approval of the special permit by the Planning Commission, the Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final site plan including 5 copies with all required revisions and documents as listed below before receiving building permits:

a. Add a General Note that states "Signs need not be shown on this site plan, but must to be in compliance with Zoning Ordinance be approved by Building & Safety Department prior to installation."

b. Add a General Note that states "This approval does not allow an automobile wash facility."

c. Revise the site plan to show an 8'-tall opaque fence along the west lot line stepping down to 6' in height south of the building and adjacent to the parking stalls near the west property line. The fence shall end at the south end of the parking spaces, and the screening required along the remaining portion of the west lot line south of last parking stall to the south lot line shall be provided by a 100% screen at least three feet in height consisting of plants.

d. Add a General Note that states "All canopy lights shall be flush mounted. Lighting otherwise to comply with applicable Design Standards."
e. Add a General Note that states “Required screening will be reviewed at the time of building permit and will comply with City of Lincoln Design Standards with one exception. Screening along the west property line to be as shown on the approved site plan.”

f. Add a General Note that states “Parking lot and drive aisles will be reviewed at the time of building permit and will comply with City of Lincoln Design Standards.”

g. Revise the site plan removing the north driveway and showing shared access via the alley.

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

4. Before occupying buildings or starting the operation all development and construction must substantially comply with the approved plans.

5. All privately-owned improvements, including landscaping, must be permanently maintained by the Permittee.

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

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

8. 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 applicant.

The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this ___ day of ___ , 2008.

ATTEST:
Approved as to Form & Legality:

[Signature]

Chief Assistant City Attorney
Special Permit #08007
S 48th & Meredith St

Zoning:

One Square Mile
Sec. 5 T09N R07E

R-1 to R-8 Residential District
AG Agricultural District
AGR Agricultural Residential District
O-1 Office District
O-2 Suburban Office District
O-3 Office Park District
R-T Residential Transition District
B-1 Local Business District
B-2 Planned Neighborhood Business District
B-3 Commercial District
B-4 Uptown Center Business District
B-5 Planned Regional Business District
H-1 Interstate Commercial District
H-2 Highway Business District
H-3 Highway Commercial District
H-4 General Commercial District
I-1 Industrial District
I-2 Industrial Park District
I-3 Employment Center District
P Public Use District

Area of Application

2007 aerial
TO : Mayor Chris Beutler  
Lincoln City Council  

FROM : Jean Preister, Planning  

DATE : February 20, 2008  

RE : Special Permit No. 08004  
(Soil mining and extraction - N. 40th Street & Waverly Road)  
Resolution No. PC-01100  

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, February 13, 2008:  

Motion made by Cornelius, seconded by Moline, to approve Special Permit No. 08004, with conditions, as amended, requested by James and Bonnie Peterson, for authority to allow mining/extraction of soil on Agricultural zoned property located southwest of the intersection of North 40th Street and Waverly Road.  

Motion for conditional approval, as amended, carried 7-0: Taylor, Esseks, Moline, Francis, Gaylor-Baird, Cornelius and Carroll voting 'yes' (Larson and Sunderman 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  
Gary Varley, Land Construction, P.O. Box 22405, 68542  
James Peterson, 3601 Waverly Road, Davey, NE 68336  
Lynette Nelson <lynette@somnos.com>  
Tom Keep, 8601 Davey Road, 68517  
Jay Krehnke, 3949 Waverly Road, Davey, NE 68336  
Karen Kurbis, 17500 N. 84th Street, 68517  

i:\shared\wp\jlu\2008\ccnotice.sp\SP.08004
RESOLUTION NO. PC-01100

SPECIAL PERMIT NO. 08004

WHEREAS, James D. and Bonnie D. Peterson have submitted an application designated as Special Permit No. 08004 for authority to allow mining/extraction of soil on Agricultural zoned property located southwest of the intersection of N. 40th Street and Waverly Road, and legally described as:

Lot 8 in the Northeast Quarter of Section 18, Township 11 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska;

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 mining/extraction of soil 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 James D. and Bonnie D. Peterson, hereinafter referred to as "Permittee," to operate a mining/extraction of soil be and the same is hereby granted under
the provisions of Section 27.63.360 of the Lincoln Municipal Code upon condition that the
operation of said mining/extraction of soil be in strict compliance with said application, the site
plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a soil, sand and gravel excavation operation for a
period of one year from the date of approval of this special permit. The conditions listed in the
Lancaster County Engineering Department communication from Ken D. Schroeder, County
Surveyor, to Mike DeKalb dated January 23, 2007 shall apply and said conditions are hereby
incorporated by reference.

2. The construction entrance shall be closed when not in operation.

3. Operating hours shall be limited to daylight hours Monday through Friday
only.

4. At the conclusion of the operation, the permittee shall provide to the
Building & Safety Department a certificate from an engineer stating that the final grading
substantially reflects the finish contours shown on the approved site plan and request a release
of the performance bond or escrow agreement.

5. Before engaging in excavation operations:

a. The Permittee must:

i. Receive review and permits, if required, for the Federal
NPDES and 404 Permits.

ii. Receive required driveway permits for access onto
Waverly Road from the Lancaster County Engineer.

iii. Add a note to the site plan indicating that topsoil shall be
stripped and kept on site for redistribution at the
conclusion of the extraction process. Compacted subsoil
shall be broken up prior to reapplying topsoil. Reapplied
topsoil shall meet or exceed the depth of that removed.

iv. Add a note to the site plan that soils and topography shall
conform to the grading plan and seeded in the first
growing season after extraction ceases.
v. Add a note that the bottom of the pond shall be sealed to prevent seepage from the pond into the aquifer.

vi. Post and maintain a 4' x 8' sign on the property at the entrance clearly visible and legible to the public showing the special permit number, the name of the permittee and operator and the telephone numbers where the permittee, operator and the Building & Safety Department can be contacted.

vii. Post a $5,000 performance bond or escrow agreement in a form acceptable to the City Attorney / County Attorney.

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

6. All privately-owned improvements shall be permanently maintained by the Permittee.

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

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

9. 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 13th day of February, 2008.

ATTEST:

/S/ Original signed by Eugene Carroll
Chair

Approved as to Form & Legality:

Chief Assistant City Attorney
Special Permit #08004
3601 Waverly Rd

Zoning:

R-1 to R-8 Residential District
AGR Agricultural Residential District
O-1 Office District
O-2 Suburban Office District
O-3 Office Park District
R-T Residential Transition District
B-1 Local Business District
B-2 Planned Neighborhood Business District
B-3 Commercial District
B-4 Lincoln Center Business District
B-5 Planned Regional Business District
H-1 Interstate Commercial District
H-2 Highway Business District
H-3 Highway Commercial District
H-4 General Commercial District
I-1 Industrial District
I-2 Industrial Park District
I-3 Employment Center District
P Public Use District

One Square Mile
Sec. 18 T11N R07E

Waverly Rd
N 40th St

2007 aerial view
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
     Lincoln City Council

FROM : Jean Preister, Planning

DATE : February 21, 2008

RE : Preliminary Plat No. 08001 - Northbank Junction 1st Addition
     (N. 56th Street and Alvo Road)
     Resolution No. PC-01102

The Lincoln City-Lancaster County Planning Commission took the following action at their
regular meeting on Wednesday, February 13, 2008:

Motion made by Cornelius, seconded by Francis, to approve Preliminary Plat No.
08001, Northbank Junction 1st Addition, with conditions, requested by Hartland
Homes, Inc., for 34 commercial lots, together with a request to waive the requirements
of the Land Subdivision Ordinance and Design Standards for Land Subdivision
Regulations in order to allow sanitary sewer mains to flow opposite to street grade and
to allow block length to exceed 1,000 feet without a pedestrian easement, on property
generally located at N. 56th Street and Alvo Road.

Motion for approval, with conditions, carried 6-0 (Esseks, Cornelius, Carroll, Moline,
Francis and Gaylor-Baird voting 'yes'; Taylor, Larson and Sunderman 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.

On February 13, 2008, the Planning Commission also voted 6-0 to recommend approval of the
associated Annexation No. 08001 and Change of Zone No. 08001, which are scheduled for
public hearing before the City Council on Monday, March 3, 2008, at 1:30 p.m.

Attachment
cc: Building & Safety
    Rick Peo, City Attorney
    Public Works
    Matt Langdon, ESP, 601 Old Cheney Road, Suite A, 68512
    Hartland Homes, Inc., P.O. Box 22787, 68542
    Peter Katt, Attorney, 1248 O Street, Suite 600, 68508
RESOLUTION NO. PC-01102

WHEREAS, Hartland Homes, Inc. has submitted the preliminary plat of Northbank Junction 1st Addition for acceptance and approval together with a request to waive the requirements of the Land Subdivision Ordinance and Design Standards for Land Subdivision Regulations in order to allow sanitary sewer mains to flow opposite to street grade and to allow block length to exceed 1,000 feet without a pedestrian easement on property generally located at N. 56th Street and Alvo Road and to allow a change of zone and annexation over only a portion of the preliminary plat; and

WHEREAS, the Planning Director has recommended conditional approval of said preliminary plat.

NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County Planning Commission that the preliminary plat of Northbank Junction 1st Addition, generally located at N. 56th Street and Alvo Road, as submitted by Hartland Homes, Inc. is hereby accepted and approved, subject to the following terms and conditions:

1. After the subdivider completes the following instructions and submits the documents and plans and 6 copies to the Planning Department office, the preliminary plat will be signed by the Chair of the Planning Commission certifying approval: (NOTE: These documents and plans are required by ordinance or design standards). Revise the preliminary plat to show:

   a. Show all of the streets and lots with solid lines on the preliminary plat and number all the lots and blocks.

   b. Rename N. 52nd Street as N. 53rd Street.

   c. Rename N. 54th Circle as an east-west street.

   d. Add the additional easements requested by L.E.S.
e. Rename "Outlot D" as "Outlot A" and label it as "Detention" and "Blanket Utility Easement". Outlot A should only include the area to be used as detention and a blanket utility easement and not future development.

f. Delete Outlots E, F, and G and their descriptions. These areas must be shown as lots to be developed.

g. Either show the 90' wide drainage easement as two outlots (east and west of N. 54th Street--the west piece could be shown as a part of Outlot A) or show lot lines extended into the easement.

h. Show a 6' easement south of Arbor Road for a future bike trail.

i. Update the Lot Area Table to include the preliminary plat lots and the revised outlots. Delete "OUTLOTS SHALL BE SUBDIVIDED BY A SEPARATE PERMIT" beneath the table.

j. Revise General Notes #10 to delete "...EXCEPT BUILDING ENVELOPES."

k. Revise General Notes #11 to delete "...EXCEPT AS WAIVED IN THE H-4 PLANNED SERVICE COMMERCIAL AREA".

l. Delete General Notes #8, 12, and 24.

m. Delete the last two sentences of General Notes #14.

n. Add notes to the Grading Plan to the satisfaction of Watershed Management.

o. Satisfy Public Works' comments in their January 31, 2008 memo.

p. Submit traffic study as required by previous annexation agreement approved by City Council.

2. The City Council must approve associated request Change of Zone #08001.

3. Final Plats will be approved by the Planning Director after:

a. The sidewalks, streets, drainage facilities, street lighting, street trees, temporary turnarounds and barricades, and street name signs have been completed or the subdivider has submitted a bond or an escrow of security agreement to guarantee their completion.

b. The subdivider has signed an agreement that binds the subdivider, its successors and assigns:

   i. To complete the street paving of public streets, and temporary turnarounds and barricades located at the temporary dead-end of
the streets shown on the final plat within two (2) years following the approval of this final plat.

ii. To complete the installation of sidewalks along both sides of streets and along the north side of Alvo Road as shown on the final plat within four (4) years following the approval of this final plat.

iii. To complete the installation of sidewalks along N. 56th Street and Arbor Road as shown on the final plat within two (2) years following the approval of this final plat.

iv. To complete the public water distribution system to serve this plat within two (2) years following the approval of this final plat.

v. To complete the public wastewater collection system to serve this plat within two (2) years following the approval of this final plat.

vi. To complete the enclosed public drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of this final plat.

vii. To complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of this final plat.

viii. To complete the installation of public street lights along streets within this plat within two (2) years following the approval of this final plat.

ix. To complete the planting of the street trees along streets within this plat within four (4) years following the approval of this final plat.

x. To complete the planting of the street trees along N. 56th Street and Arbor Road as shown on the final plat within two (2) years following the approval of this final plat.

xi. To complete the installation of the street name signs within two (2) years following the approval of this final plat.

xii. To complete the installation of the permanent markers prior to construction on or conveyance of any lot in the plat.

xiii. To timely complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance which have not been waived but which inadvertently may have been omitted from the above list of required improvements.

xiv. To submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.
xv. To comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

xvi. To complete the public and private improvements shown on the preliminary plat.

xvii. To keep taxes and special assessments on the outlots from becoming delinquent.

xviii. To maintain the outlots and private improvements in a condition as near as practical to the original construction on a permanent and continuous basis.

xix. To maintain and supervise the private facilities which have common use or benefit in a condition as near as practical to the original construction on a permanent and continuous basis, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development and that these are the responsibility of the Subdivider.

xx. To retain ownership of and the right of entry to the outlots in order to perform the above-described maintenance of the outlots and private improvements on a permanent and continuous basis. However, Subdivider may be relieved and discharged of such maintenance obligations upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance subject to the following conditions:

1. Subdivider shall not be relieved of Subdivider’s maintenance obligation for each specific private improvement until a register professional engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans.

2. The maintenance agreements are incorporated into covenants and restrictions in deeds to the subdivided property and the documents creating the association and the restrictive covenants have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

xxi. To submit to the lot buyers and builders a copy of the soil analysis.
xxii. To inform all purchasers and users of land located within the 100 year floodplain that said land is located within the 100 year floodplain and that the grading of the lots and outlots shall be in conformance with the grading plan approved with the Northbank Junction 1st Addition Preliminary Plat #08001 or as amended by the Director of Planning. The volume of fill material brought into each lot and outlot from outside the floodplain shall not exceed that shown on the approved grading plan accompanying the preliminary plat.

xxiii. To protect the trees that are indicated to remain during construction and development.

xxiv. To relinquish the right of direct vehicular access from all lot(s) to N. 56th Street and Arbor Road.

BE IT FURTHER RESOLVED that:

1. The requirement in Section 2.6 of the Sanitary Sewer Design Standards that the slope of the sanitary sewer should parallel the slope of the street is waived for Salt Bank Road.

2. The requirement in Section 26.23.125 of the Lincoln Municipal Code that a pedestrian way shall be required when a block length exceeds 1000 feet in length is waived.

3. The requirement in Section 26.15.030(b) of the Lincoln Municipal Code that all changes of zone and annexations to complete the development be submitted with the preliminary plat is waived.

DATED this 13th day of February, 2008.

ATTEST:

Eugene Carroll
Chair

Approved as to Form & Legality:

Chief Assistant City Attorney
Preliminary Plat # 08001
Northbank Junction 1st
N 56th St & Alvo Rd

Zoning:

R-1 to R-8  Residential District
AG  Agricultural District
AGR  Agricultural Residential District
O-1  Office District
O-2  Office Park District
R-T  Residential Transition District
B-1  Local Business District
B-2  Planned Neighborhood Business District
B-3  Commercial District
B-4  Lincoln Center Business District
B-5  Planned Regional Business District
I-1  Interim Commercial District
I-2  Highway Business District
H-4  General Commercial District
I-1  Industrial District
I-2  Industrial Park District
I-3  Employment Center District
P  Public Uses District

One Square Miles
Sec. 29 T11N R7E

2007 aerial
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
     Lincoln City Council

FROM : Jean Preister, Planning

DATE : February 21, 2008

RE : Special Permit No. 08006
     (Reconstruction of nonstandard and nonconforming use - Kabredlo's -
S.W. 6th Street and West A Street)
     Resolution No. PC-01094

The Lincoln City-Lancaster County Planning Commission took the following action at their
regular meeting on Wednesday, February 13, 2008:

Motion made by Cornelius, seconded by Francis, to approve Special Permit No. 08006, with conditions, requested by Olderbak Enterprises North and Foster Investment LLC, for authority to reconstruct a nonstandard and nonconforming use to reduce the required rear yard setback to 15 feet to allow the sale of alcoholic beverages for consumption off the premises, on property generally located at the northwest corner of S.W. 6th Street and West A Street.

Motion for conditional approval carried 6-0: Esseks, Moline, Francis, Gaylor-Baird, Cornelius and Carroll voting ‘yes’ (Taylor, Larson and Sunderman 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.

On February 13, 2008, the Planning Commission also voted 6-0 to recommend approval of the associated Change of Zone No. 08002 from R-2 Residential District to B-1 Local Business District, which is scheduled for public hearing before the City Council on Monday, March 3, 2008, at 1:30 p.m.

Attachment
cc: Building & Safety
    Rick Peo, City Attorney
    Public Works
    Chris Pischel, 4001 S. 8th Street, Suite 101, 68502
    Olderbak Enterprises North LLC, 2840 S. 74th Street, 68506
    Foster Investment LLC, 3500 Frost Court, 68510
    Kelly Tollefsen, Attorney, 201 N. 8th Street, Suite 300, 68502
    Chris Cashmere, West A Neighborhood Assn., 3510 W. Plum, 68522
    William Vocasek, West A Neighborhood Assn., 1903 W. Mulberry Ct., 68522
    Robert Bowen, West A Neighborhood Assn., 1901 W. South Street, 68522
    Bill Hargott, West A Neighborhood Assn., 1710 W. Washington Street, 68522
RESOLUTION NO. PC-01094

SPECIAL PERMIT NO. 08006

WHEREAS, Olderbak Enterprises North and Foster Investment LLC have
submitted an application designated as Special Permit No. 08006 for authority to reconstruct a
nonstandard and nonconforming use to reduce the required rear yard setback to 15 feet to
allow the sale of alcoholic beverages for consumption off the premises on property generally
located at the northwest corner of S.W. 6th Street and West A Street, and legally described as:
Lot 39 - 46, Block 7, Elmwood 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 reconstruction of a
nonstandard building into the required rear yard and the sale of alcoholic beverages for
consumption off the premises 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 Olderbak Enterprises North and Foster Investment LLC, hereinafter referred to as "Permittee", to reconstruct a nonstandard and nonconforming use to reduce the required rear yard setback to 15 feet, to expand a nonconforming use to allow the sale of alcoholic beverages for consumption off the premises on property described above be and the same is hereby granted under the provisions of Section 27.63.280 of the Lincoln Municipal Code upon condition that construction of said construction be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves the expansion and reconstruction of a nonstandard and nonconforming use with minimum setback requirements of 15 feet for the required rear yard and to permit sale of alcoholic beverages for consumption off the premises.

2. The City Council must approve the associated request, Change of Zone 08002.

3. Before receiving building permits, the Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final site plan including 5 copies with all required revisions and documents as listed below before receiving building permits.

   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".

   b. Add to General Notes "In order to reduce light pollution, the lights will use flush mounts in the canopy, otherwise all lighting is to comply with applicable design standards."

   c. Add to General Notes "A landscape plan will be submitted at the time of building permit and will comply with City of Lincoln Design Standards, plus provide an 8 foot tall opaque fence along the north and west property line. The fence along the west property line shall start at the southern most line of the house on the abutting property to the west and end at the rear lot line. There
shall be 100% screening at least 3 ft high using plants south of the west fence line."

d. Add to general notes "A flood plain permit will be required for construction. All requirements of commercial construction in a flood plain must be met."

4. In addition, before receiving building permits, the Permittee shall provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

5. This approval does not allow an automobile wash facility.

6. Parking lot and drive isles will be reviewed at the time of building permit and will comply with design standards.

7. Before occupying the building all development and construction must comply with the approved plans.

8. All privately-owned improvements, including landscaping, must be permanently maintained by the Permittee.

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

10. This resolution's terms, conditions, and requirements shall bind and obligate the Permittee and their successors and assigns.

11. 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.
This special permit voids and supersedes Special Permit #1626 and Use Permit #41.

The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this 13 day of February, 2008.

ATTEST:

[Signature]
Chair

Approved as to Form & Legality:

[Signature]
Chief Assistant City Attorney
Special Permit #08006
SW 6th & W A St

Zoning:

R-1 to R-3 Residential District
AG Agricultural District
AGR Agricultural Residential District
O-1 Office District
O-2 Suburban Office District
O-3 Office Park District
R-T Residential Transition District
B-1 Local Business District
B-2 Planned Neighborhood Business District
B-3 Conventional District
B-4 Lincoln Center Business District
B-5 Planned Regional Business District
H-1 Interstate Commercial District
H-2 Highway Business District
H-3 Highway Commercial District
H-4 General Commercial District
I-1 Industrial District
I-2 Industrial Park District
I-3 Employment Center District
P Public Use District

One Square Mile
Sec. 27 T10N R06E

Zoning Jurisdiction Lines
City Limit Jurisdiction
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
     Lincoln City Council

FROM : Jean Preister, Planning

DATE : February 21, 2008

RE : Special Permit No. 08008
     (Expansion of a nonconforming use - Kabredlo's - N. 48th & Fremont Streets)
     Resolution No. PC-01096

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, February 13, 2008:

Motion made by Cornelius, seconded by Francis, to approve Special Permit No. 08008, with conditions, requested by Olderbak Enterprises North LLC, for authority to expand a nonconforming use to increase the area where the sale of alcoholic beverages for consumption off the premises is allowed, on property generally located at N. 48th Street and Fremont Street.

Motion for conditional approval carried 6-0: Esseks, Moline, Francis, Gaylor-Baird, Cornelius and Carroll voting 'yes' (Taylor, Larson and Sunderman 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.

On February 13, 2008, the Planning Commission also voted 6-0 to recommend approval of the associated Change of Zone No. 08004 from R-T Residential Transition District to B-1 Local Business District, which is scheduled for public hearing before the City Council on Monday, March 3, 2008, at 1:30 p.m.

Attachment

cc: Building & Safety
    Rick Peo, City Attorney
    Public Works
    Chris Pischel, 4001 S. 8th Street, Suite 101, 68502
    Olderbak Enterprises North LLC, 2840 S. 74th Street, 68506
    Kelly Tollefson, Attorney, 201 N. 8th Street, Suite 300, 68502
    Janelle Schmale, UPCO, 4930 Cleveland Ave., #1, 68504
    Sharon Doll, UPCO, 2909 N. 56th Street, 68504
    Lois Haupt, UPCO, 4212 Knox Street, 68504
    Gail Anderson, UPCO, 1930 N. 60th Street, 68505
    Malinda Burk, UPCO, 2723 N. 56th Street, 68504

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RESOLUTION NO. PC-01096

SPECIAL PERMIT NO. 08008

WHEREAS, Olderbak Enterprises North LLC has submitted an application
designated as Special Permit No. 08008 for authority to expand a nonconforming use to
increase the area where the sale of alcoholic beverages for consumption off the premises is
allowed on property generally located at N. 48th Street and Fremont Street, and legally
described as:

Lots 8-13, except the west 34 feet, Block 16, Woods Brothers 1st
Addition to Havelock, 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 expansion of a non-
standard area and sale of alcoholic beverages for consumption off the premises 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 Olderbak Enterprises North LLC, hereinafter referred to as "Permittee", to expand a nonconforming use to increase the area where the sale of alcoholic beverages for consumption off the premises is allowed on property described above be and the same is hereby granted under the provisions of Section 27.53.280 of the Lincoln Municipal Code upon condition that construction of said area be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This approval permits the reconstruction and enlargement of a nonconforming use, and permits the sale of alcohol for consumption off the premises.

2. The City Council must approved the associated request, Change of Zone #08004.

3. Upon approval of the special permit by the Planning Commission, the developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 5 copies with all required revisions and documents as listed below before receiving building permits:

   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".

   b. Add to General Notes "A landscape plan will be submitted at the time of building permit and will comply with City of Lincoln Design Standards." In addition, the fence along the east property line shall be 8' tall from the 20 foot front yard along Fremont Street to the 20' front yard along Hartley Street. The front yards along these streets east of the drive entrances shall be landscaped and shall also provide 100% screening at least three feet high.

   c. Revise the site plan to shift the building approximately 15' north to provide additional open space south of the building in the event that N. 48th Street is widened and the entrance off of Hartley Street has to be relocated.
d. Parking lot and drive aisles will be reviewed at time of building permit and will comply with design standards.

e. Add to General Notes "The light fixtures in the canopy shall be flush mounted." Lighting otherwise to comply with applicable design standards.

f. This approval does not allow an automobile wash facility.

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

4. Before occupying buildings or starting the operation all development and construction must substantially comply with the approved plans.

5. All privately-owned improvements, including landscaping, must be permanently maintained by the Permittee.

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

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

8. 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, filling fees therefor to be paid in advance by the applicant.

9. This special permit voids and supercedes Special Permit #1699 and Use Permit #47.
The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this 13 day of February, 2008.

ATTEST:

[Signature]
Chair

Approved as to Form & Legality:

[Signature]
Chief Assistant City Attorney
Special Permit #08008
N 48th & Fremont St

Zoning:

R-1 to R-3 Residential District
AG Agricultural District
AGR Agricultural Residential District
O-1 Office District
O-2 Suburban Office District
O-3 Office Park District
R-T Residential Transition District
B-1 Local Business District
B-2 Planned Neighborhood Business District
B-3 Commercial District
B-4 Lincoln Center Business District
B-5 Planned Regional Business District
H-1 Interstate Commercial District
H-2 Highway Business District
H-3 Highway Commercial District
H-4 General Commercial District
I-1 Industrial District
I-2 Industrial Park District
I-3 Employment Center District
P Public Use District

One Square Mile
Sec. 8 T10N R07E

2007 aerial
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
     Lincoln City Council

FROM : Jean Preister, Planning

DATE : February 21, 2008

RE : Special Permit No. 08001
     (Off-sale alcohol - Kabredlo's - 4715 West Adams Street)
     Resolution No. PC-01097

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, February 13, 2008:

Motion made by Cornelius, seconded by Francis, to approve Special Permit No. 08001, with conditions, requested by Olderbak Enterprises North LLC and Kabredlo's, Inc., for authority to sell alcoholic beverages for consumption off the premises on property generally located at 4715 West Adams Street.

Motion for conditional approval carried 6-0: Esseks, Moline, Francis, Gaylor-Baird, Cornelius and Carroll voting 'yes' (Taylor, Larson and Sunderman 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
    Chris Pischel, 4001 S. 8th Street, Suite 101, 68502
    Olderbak Enterprises North LLC, 2840 S. 74th Street, 68506
    Kelly Tollefsen, Attorney, 201 N. 8th Street, Suite 300, 68502
    Kabredlo's, Inc., 732 W. Cornhusker Hwy, 68521
    Karen Griffin, Arnold Heights Neighborhood Assn., 3931 Castle Circle, 68524
    Jeff Schwebke, Arnold Heights Neighborhood Assn., 4230 N.W. 54th Street, 68524
RESOLUTION NO. PC-01097

SPECIAL PERMIT NO. 08001

WHEREAS, Olderbak North, LLC and Kabredlo's Inc. has submitted an application designated as Special Permit No. 08001 for authority to sell alcoholic beverages for consumption off the premises generally located at 4715 West Adams Street, legally described as:

Lot 1, LCIDC Industrial Park 1st Addition, Lincoln, Lancaster County, Nebraska; and

WHEREAS, the real property adjacent to the area included within the site plan for this permit to sell alcoholic beverages off the premises 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 Olderbak North, LLC and Kabredlo's Inc., hereinafter referred to as "Permittee", to sell alcoholic beverages for consumption off the premises on property legally described above be and the same is hereby granted
under the provisions of Section 27.63.685 of the Lincoln Municipal Code upon condition
that operation of said licensed premises be in substantial compliance with said
application, the site plan, and the following additional express terms, conditions, and
requirements:

1. This permit approves the sale of alcohol for consumption off the
premises as designated on the approved site plan.

2. Before the sale of alcohol:
   a. The Permittee must submit five copies of a revised site plan
to the Planning Department showing the delineation of the
area of the convenience store and the licensed premises
from the remainder of the building, and add a note that
identifies the delineated area as the “Licensed Premises.”

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

3. Before commencing the sale of alcohol for consumption off the
premises, all development and construction must conform to the approved plans.

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

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

6. The Permittee shall sign and return the City’s letter of acceptance
to the City Clerk within 60 days following 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 13 day of February, 2008.

ATTEST:

[Signature]
Chair

Approved as to Form & Legality:

[Signature]
Chief Assistant City Attorney
Special Permit #08001  
NW 48th & W Adams St

Zoning:

- R-1 to R-8 Residential District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Service Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
Sec. 18 T10N R06E

2007 aerial
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
Lincoln City Council

FROM : Jean Preister, Planning

DATE : February 21, 2008

RE : Special Permit No. 08002
(Off-sale alcohol - Kabredlo’s - 2500 N.W. 12th Street)
Resolution No. PC-01098

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, February 13, 2008:

Motion made by Cornelius, seconded by Francis, to approve Special Permit No. 08002, with conditions, requested by Olderbak North LLC and Kabredlo’s, Inc., for authority to sell alcoholic beverages for consumption off the premises on property generally located at 2500 N.W. 12th Street.

Motion for conditional approval carried 6-0: Esseks, Moline, Francis, Gaylor-Baird, Cornelius and Carroll voting ‘yes’ (Taylor, Larson and Sunderman 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
Chris Pischel, 4001 S. 8th Street, Suite 101, 68502
Olderbak North LLC, 2601 West L Street, 68522
Kelly Tollefson, Attorney, 201 N. 8th Street, Suite 300, 68502
Kabredlo’s, Inc., 732 W. Cornhusker Hwy, 68521
Sinclair Marketing, Inc., P.O. Box 30825, Salt Lake City, UT 84130

i:\shared\wpjlu2008 ccnotice.sp\SP.08002
RESOLUTION NO. PC-01098

SPECIAL PERMIT NO. 08002

WHEREAS, Olderbak North, LLC and Kabredlo's Inc. have submitted an application designated as Special Permit No. 08002 for authority to sell alcoholic beverages for consumption off the premises generally located at 2500 N.W. 12th Street, legally described as:

Lot 51 I.T., located in the Northwest Quarter of Section 15, Township 10 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska; and

WHEREAS, the real property adjacent to the area included within the site plan for this permit to sell alcoholic beverages off the premises 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 Olderbak North, LLC and Kabredlo's Inc., hereinafter referred to as "Permittee", to sell alcoholic beverages for consumption off
the premises on property legally described above be and the same is hereby granted under the provisions of Section 27.63.685 of the Lincoln Municipal Code upon condition that operation of said licensed premises be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves the sale of alcohol for consumption off the premises as designated on the attached site plan.

2. Before the sale of alcohol the construction plans must comply with the approved plans.

3. Before commencing the sale of alcohol for consumption off the premises, all development and construction must conform to the approved plans.

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

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

6. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 60 days following 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 _13_ day of _February_, 2008.

ATTEST:

[Signature]
Chair

Approved as to Form & Legality:

[Signature]
Chief Assistant City Attorney
Special Permit #08002
2500 NW 12th St

Zoning:

One Square Mile
Sec. 15 T10N R06E
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
Lincoln City Council

FROM : Jean Preister, Planning

DATE : February 21, 2008

RE : Special Permit No. 08005
(Early childhood care facility - Pine Lake Road & Stephanie Lane)
Resolution No. PC-01101

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, February 13, 2008:

Motion made by Gaylor-Baird, seconded by Moline, to approve Special Permit No. 08005, with conditions, requested by Madonna Rehabilitation Hospital and Mary Jo Cassner of Awesome Kidz Academy, for an early childhood care facility for up to 20 children and 5 staff members inside the Madonna Proactive Health and Fitness Facility, on property generally located at Pine Lake Road and Stephanie Lane.

Motion for conditional approval carried 7-0: Taylor, Esseks, Moline, Francis, Gaylor-Baird, Cornelius and Carroll voting ‘yes’ (Larson and Sunderman 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
    David and Mary Jo Cassner, 6110 S. 46th Street, 68516
    Madonna Rehabilitation Hospital, 5401 South Street, 68506
    Stephen Nickel, Family Acres Assn., 7941 Portsche Lane, 68516

\shared\wp\jn\2008 cnotice.sp\SP.08005
RESOLUTION NO. PC-01101

SPECIAL PERMIT NO. 08005

WHEREAS, Madonna Rehabilitation Hospital has submitted an application designated as Special Permit No. 08005 for an early childhood care facility for up to 20 children and 5 staff members inside the Madonna Proactive Health and fitness Facility on property located at Pine Lake Road and Stephanie Lane, and legally described to wit:

Lot 1, Aspen 16th 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 Madonna Rehabilitation Hospital, hereinafter referred to as "Permittee", to permit an early childhood care facility for up to 20 children and 5 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 20 children and 5 staff members on the largest shift.

2. The Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final site plan including five copies showing a revision to identify the play area.

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

4. Before occupying the early childhood care facility all development and construction must substantially comply with the approved plans.

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 13th day of February, 2008.
Approved as to Form & Legality:

[Signature]
Chief Assistant City Attorney

ATTEST:

[Signature]
Chair
Special Permit #08005
S 56th St & Pine Lake Rd

Zoning:

R-1 to R-8 Residential District
AG Agricultural District
AGR Agricultural Residential District
O-1 Office District
O-2 Suburban Office District
O-3 Office Park District
R-T Residential Transition District
B-1 Local Business District
B-2 Planned Neighborhood Business District
B-3 Commercial District
B-4 Lincoln Center Business District
B-5 Planned Regional Business District
H-1 Interstate Commercial District
H-2 Highway Business District
H-3 Highway Commercial District
H-4 General Commercial District
I-1 Industrial District
I-2 Industrial Park District
I-3 Employment Center District
P Public Use District

One Square Mile
Sec. 20 T09N R07E
February 25, 2008

Water Main Project #700304
North Side of D Street; 9th - 12th Street

The week of March 3, 2008, K2 Construction of Lincoln, Nebraska will be starting construction (weather permitting) of a replacement water main for the Engineering Services Division of the Public Works and Utilities Department. The project is planned to be completed mid-April 2008 barring weather or unforeseen conditions.

K2 Construction will be required to maintain traffic on 9th, 10th, 12th and D Streets at all times. However, there will be some disruption to vehicular and pedestrian access during construction. D Street will require temporary no parking in the north parking lane to allow the contractor to store materials, staging or construction of this project. 11th Street will be closed for approximately two weeks to facilitate work in this intersection.

As a general reminder, if you have landscaping in the City right-of-way which you would like to save, please plan to relocate them as soon as practical to avoid damages. Please mark sprinklers so the contractor can prepare their work in these areas.

The City of Lincoln realizes this project may temporarily inconvenience you for parking and possibly the loss of services (utility, water, etc.). Please be patient and we will rectify the situation as quickly as possible. Water services of the properties on the north and south side of D Street within the project limits will be connected from the new water main to the curb stop. This work of connecting the water services will be completed after testing, flushing and disinfection of the new water main.

This project is being built at no extra cost to you and is being funded from the Selected Replacement Main Projects of the Lincoln Water System.

If you have any problems or questions during the construction period, please contact:

K2 Construction
Tom Rogge, Superintendent
(402) 770-5728
(402) 467-2355
Office Hours: 8:00 a.m. - 5:00 p.m.

City of Lincoln, Engineering Services
Charlie Wilcox, Project Manager
(402) 440-6067
Office Hours: 8:00 a.m. - 4:30 p.m.
Memorandum

To: Board of Equalization
From: Bruce Sweeney, Public Works & Utilities Engineering Services
Subject: March 3, 2008 Board of Equalization Meeting
Date: February 25, 2008
cc: Mayor Beutler, G. MacLean, R. Figard, T. Shafer, J. Rupp, E. Cole

The table below summarizes the proposed assessment for the assessment district which will be before the Board of Equalization at the March 3, 2008 meeting.

<table>
<thead>
<tr>
<th>Project No.</th>
<th>Total Cost</th>
<th>City Subsidy</th>
<th>Assessed Amount</th>
<th>Proposed Assessment Rate</th>
<th>Original Estimated Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>WD #1197</td>
<td>$53,729.39</td>
<td>$33,963.79</td>
<td>$19,765.60</td>
<td>$40/FF</td>
<td>$40/FF</td>
</tr>
</tbody>
</table>

All owners of record within these Districts have been notified of their proposed assessment and the time and location of the Board of Equalization meeting.

Water District #1197 was created at the request of Steve Zwiener with an estimated cost of $52,000 +/- . It was constructed by K-2 Construction, with a final construction contract cost of $53,729.39 and the work was accepted Jan 3, 2008. Several properties which abut the main have been excluded from assessment due to prior access to a public main. This water main being constructed in an established area, qualifies for the maximum assessment of $40.00 per front foot with the balance of the cost subsidized through the City of Lincoln Water Department.
Some of the people receiving this message may receive it twice. Please accept our apologies. This method of distribution will conserve government funds by saving on postage costs, so please bear with us. We are trying to reach as many people via email as possible. Unfortunately, some of the email lists used overlap.

Dear Lincolnite:

The City asked George Crandall and Don Arambula, architects from Portland, Oregon, to provide Lincoln with a recommended Master Plan for the Antelope Valley Research and Development Corridor.

They have recommended three documents for our evaluation, namely:

- **Research & Development Corridor Master Plan:** This is the general vision for the Antelope Valley area to encourage development in ways that produce new economic growth and good jobs.
- **A Planned Unit Development (PUD) for the R & D Corridor:** Provides an implementing set of regulations and incentives so the vision of the Master Plan can be realized.
- **Downtown Design Standards:** Originally seen as applying to the Corridor only, these standards are suggested for all of downtown, from the Haymarket to the Corridor. The purpose is to have minimum, objective standards that will create a cohesive feel to the urban core of Lincoln: active retail streets, largely masonry buildings opening onto the street, off street parking that fits the look of downtown and several other ideas.

These recommendations are being shared now so Lincoln citizens can be prepared for, and contribute to, the evaluation and implementation of a plan for Antelope Valley’s development. The documents are located on the City’s web page at the following link: http://www.lincoln.ne.gov/city/urban/AVindex.htm

Crandall Arambula will share their report and take questions and comments at a public meeting on **February 28th, 2008 at 7:00 p.m.** at The Cornhusker Marriott Hotel, **333 South 13th Street, Lancaster Room.** After Crandall Arambula explains their vision, we want to hear your thoughts as we determine the form our final actions will take. The schedule of public meetings is currently planned for:

**R & D Corridor Property Owners:**
February 29, 12:00 p.m.  St. Paul’s United Methodist Church, 1144 M Street, Dining Room, Lower Level
March 12, 5:30 p.m.  Elliott Elementary School, 225 South 25th Street, East Entrance, Room B112
Downtown Property Owners:
March 4, 12:00 p.m. St. Paul’s United Methodist Church, 1144 M Street, Dining Room, Lower Level
March 10, 5:30 p.m. St. Paul’s United Methodist Church, 1144 M Street, Classroom 155/157

Residential Neighborhood Meeting:
(Downtown Neighborhood Association, North Bottoms, Clinton, Woods Park, Malone, Hawley Historic and Near South)
March 18, 7:00 p.m. St. Paul’s United Methodist Church, 1144 M Street, Dining Room, Lower Level

We will provide coffee and you are welcome to bring food given the meeting times.

When the public evaluation process is over, I expect the Mayor and his administration to make recommendations for City Council action that are shaped by the citizen input we receive between now and the end of March.

Thank you for caring about Lincoln’s future.

Sincerely,

David Landis
Director

Sent by Opal Doerr
Planning Assistant
City of Lincoln / Urban Development Dept.
808 P Street / Lincoln, NE  68508 / (402) 441-7852

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Dear City Council Members,

I am writing in regards to the public hearing on the proposed ordinance on the sidewalk improvement on the Cornerstone Addition, Block 2, Lot 5, address 5810 Princess Margaret Dr. As owner of said property, I am opposing the inclusion of the property within the district. The reason I am opposing it is that I am in the process of selling the property. My husband passed away and I no longer want to keep the property. It makes no sense to me now to put in a sidewalk when a buyer of the property who wants to build on the property would probably tear it out anyway in the process of building. I would appreciate it if you could give me some time to sell the property without having to worry about putting in a sidewalk. Thank you for your consideration in this matter.

Sincerely,

Susan V. Millard

Susan V. Millard
I-18-2008

Dear Councilman Camp,

Sorry, no typewriter nor computer.

I would like to commend you for putting the Dead Man's Run watershed project on a 60-day delay.

I am NOT against this project. Dead Man's Run is a disaster. The garbage, weeds & other junk makes you wonder how any water could flow down it.

However, before we jump on the bandwagon & go off into the sunset, a few questions should be answered.

1. Is the City guaranteed 75% will be covered by the Federal Government of the $5 million the city will be needed?
1. New idea Public Works come up with this Blue Tag of $2 million

2. Has this amount taken into consideration cost over amounts? Delay. Poor bookkeeping in favor of the Contractor?

3. No funding from Federal Government, where does the money come from?

I caution you, the Federal Government has problems of its own with money, I can assure you they will look to their own before they look to us.

Promises does not put money in the bank.

The phrase "We (el) think they will do not put the money in the bank.

So where does the money come from?
Please do not put forth FIT funds or any other bond issue. That is a tremendous amount to put on tax payers.

5. These detention basins - who will clean them up? Water standing in them breeds mosquitoes. Remember West Nile disease? Remember how we citizens are told to dump standing water in bird baths, gutters, anything that holds water & cut down on mosquito population. Remember how the city paid to spray for them?

I would like to add that I read in the last couple weeks ago, the city of Lincoln saved Williams Motor Two million dollars (or plus) for the Antelope Valley Project (the big ditch). That money been paid yet?

Don't you think BEFORE
you begin another big expensive project, you pay your debt on the ones you have going now?

Are there any other debts owed to Lincoln property owners that have not been paid yet? For the Anchovy Valley Project? Or any other project?

As I said before, I am NOT against this project. But pay your outstanding debts on prior or on-going projects FIRST.

Thank you for your consideration and time in reading this letter.

Sharon D. Cook
935 El Acado Avenue
Lincoln, NE 68504
February 21, 2008

Robin Eschliman
555 S. 10th Street
Lincoln, NE 68508

Re: RFI# 12 SW 40th

Dear Robin:

This letter is in response to your request for information regarding the SW 40th bridge project. The cost of the project has escalated and we reviewed the reasons for that at the last Commons meeting. The main reason being time, inflation and increased bridge length due to poor soil stability and the requirement of the Railroad to span their entire ROW. The perception on the doubling of the cost is the confusion between the cost of the THEORETICAL STRUCTURE that was costed out to compute the 5% cost share for the rail road. That structure had little comparison to the actual bridge that needs to be built to go over the tracks and cross Middle Creek. We always knew two bridges, one over Middle Creek and one over the Railroad, would be needed and they were always a part of our funding scenario.

I am not aware that the Arena and Convention Center project had any impact on this project as our negotiations for SW 40th were ongoing long before this discussion came up. The BNSF’s primary driving force for their yard has been the increased demand for clean air coal to haul back east.

If you have other questions please feel free to contact Kris Humphrey or myself at 441-7711.

Sincerely,

Roger A Figard
City Engineer

cc: Mayor Beutler
Greg Maclean
Don Thomas
Kris Humphrey
Kent Morgan
Boyd Andrew, BNSF
From: Robin Eschliman - RFI#12
To: Greg MacLean, Public Works & Utilities Director
    Roger Figard, Public Works & Utilities Dept.
RE: SW 40th bridge project

It has come to our attention that the SW 40th bridge project is nearly double the projected cost. Apparently part of this is due to the need for a second bridge which was overlooked. How much of the excess cost is due to re-working railroad routes due to the arena and convention center project? Are we really nearly double the projected cost, or should part of the cost be attributed to the convention center and arena?

If you will send your response to the Council Office at Councilpacket@lincoln.ne.gov, in a pdf format, I will distribute your response in the usual manner on the Directors' Agenda. The Subject line need only read REschlimanRFI#12. Thank-you.

Tammy Grammer
City Council Office
441-6867
Ted Scott (ted@medallioncustomhomes.com) has sent you an article.

Personal message:
Council Members - I understand there is a study underway to review Lincoln's impact fee[s]. I thought this article was worth sharing so that all of you could gain a little insight into how other areas throughout the country view and are dealing with impact fees.

Thank you,
Ted Scott

Down Housing Market Gives Opportunity to Roll Back Residential Impact Fees
Read the full article at:
Dear Council members,

LES is a model for energy conservation and efficiency, so this is very important because Nebraska Public Power District (NPPD) and the Nebraska state legislature will have something already in existence to point to that encourages conversation and efficiency. It's a teaching example for future efforts.

Therefore, I am writing to you to ask that you allocate $1 million to assist residential and business customers become more energy efficient.
I encourage you to start the program this year, and after learning from this experience, expand it substantially in later years.
I support the efficient use of electricity - the cheapest and fastest way to curb global warming pollution.

Sincerely,
Roma J. Wieckhorst
LES wants to raise electric bills 5.5 percent? People on a fixed income did not get a 5.5 percent raise. Poor people on Social Security were lucky to get a 2.3 percent increase.

I understand that the cost of energy has gone up and LES can not be blamed for that, but part of the duty of elected officials is to look out for the poor and less fortunate (the people with a small voice or no voice in government). An elderly person cannot increase their income any faster than the government will increase it. The elderly are at the mercy of a government that is suppose to protect them.

Elderly folks can only put so many blankets on to stay warm. They can only turn the heat down so far. Chances are these same elderly folks are not going to put a new addition onto the house and use more energy.

LES has asked for an increase each and every year for the last 3 years. In fact, they have asked for increases twice in some years. Chances are...this is not going to stop. However, the City Council and the Mayor need to take a leadership role to protect the poor and the elderly.

Perhaps the family or business that uses the most energy needs to be charged more? I am not sure what the solution is, I will leave that to the Mayor and the City Council, but...something needs to be done for people that can not afford every increase that comes along!

Thank you. Please let me know if any of you have come up with any solutions to providing the elderly and the poor with energy.

Wilfred F. Marks
6701 Vine Street
Lincoln, NE 68505
402-261-5346
The first thing you can do is scrap the present city employee retirement program and put in a 401K plan with the city maybe putting in $0.50 for every $1 contributed up to a maximum of 5% of salary.

The present program of the City matching $2 per $1 of employee contributions is totally unacceptable.

City employees should not have better benefits than the private sector.

At the present time City employees are paid better than private company employees and have better health insurance and retirement benefits. You need to bring things into line with the private sector.

Jerry Wolf
February 16, 2008

Mr. Dan Marvin
Lincoln City Councilman
555 S. 10th Street
Lincoln, NE 68508

RE: Sidewalk request – West Lincoln, Block 16, Lots 1 through 7,
REFERENCE 25

Dear Mr. Marvin:

I am writing you to ask that you please reject the request to put sidewalk on my property.

I am disabled, on social security and low income. I am not able to pay for sidewalk. I was told there are no grants for this sidewalk.

I was also told by a city employee that only one person is asking for the sidewalk on my property. I feel this is a revenge request since this one person is only asking for sidewalk on my property when the entire block across the street from me has absolutely no sidewalk and the four blocks surrounding my property have absolutely no sidewalks either.

There are five other blocks next to me all filled with homes – some of them even new. These property owners have not had to put in sidewalk.

I feel it is unfair and discriminating to expect me to put in sidewalk when so many other property owners surrounding my home have not ever been asked to put in sidewalk. I am sure you would feel the same if just you were asked to put in sidewalk when so many of your neighbors have not been asked to put in sidewalk.

Therefore, I am asking you to please reject this request for sidewalk on my property. Other property owners around me aren’t being asked to put in sidewalk.

I am enclosing pictures of the blocks next to me that have absolutely no sidewalk on them. I also have included pictures of properties within a block of my home that have absolutely no sidewalk either. All the properties have homes on them.

Thank you very much for your consideration. I would truly appreciate your rejection of this request for sidewalk on my property.

Sincerely,

Maxine Sturzenegger
2441 N. Main Street
Lincoln NE 68521
West Lincoln, Block 16, Lots 1 through 7,
Reference 25

Public Hearing: Feb 25, 08
Voting - Mar 3, 08

Attached are 5 pages with 10 photos.
Above are 4 Blocks Surrounding My Prop All on Main St. Cmy
Absolutely No Sidewalk
These are 5 more Blocks with Ab
They are Within a Block of
solutely No Sidewalk f my Property
InterLinc: City Council Feedback for General Council

Name: Gary Heusel
Address: 7640 Davies Drive
City: Lincoln, NE 68506
Phone: 4024845258 or 4022020704
Fax: 4024728104
Email: heuselg@yahoo.com

Comment or Question:
Jon, Jonathom, Robin, John, Dan, Doug and Ken:

Thank you for everything you do to benefit Lincoln. I generally think you are doing a great job but I have a major problem with some of the monopolies that private companies have to provide us services.

I have continued concerns with Time Warner Cable. It has been going on for a long time as prices escalate and services get worse. Last year with the box not functioning for more than a month was a long test. Just recently we bought a new high definition TV so we could watch the super bowl game with friends. We were given a new box and cables but they did not work. I called and talked to people twice and they both told me we had the right box and to just try new cables so I drove out to the Time Warner office and got cables but it still did not work. Finally I took the box into the Time Warner office and the young woman told me the box was not the right one. I asked her why no one else had been able to tell me that and she said the information in their computer was wrong!! It is hard to believe I am the only one getting this incorrect information.

So after the third trip to their office I had the right box and the right cables. However, I still could not get high definition TV. I called again and was told that instead of tuning to 11 I should tune into 111. I asked how I was supposed to know that and was told the person who gave me the box and cables should have told me.

When I took the box back it was early on Saturday morning before super bowl Sunday. I got there before they opened but there was already a line. I asked all of the people in line if anyone was happy with their service and not one appreciates being stuck with this cable company. In the process of the conversation I learned that I should have had long distance service on my telephone service since I switched to Time Warner more than 18 months ago. When I had tried to use long distance service I got a message saying that I did not have long distance service and I just got another long distance company. I also asked the young woman how come I was not told I had free long distance service and why I got the message saying I did not have the service. She said I should have asked if I had long distance service after I got the message and that the message must have been put there by mistake.

I know you have had others concerned about this company. I want to know why we have only this company to choose from for cable service. It would be real easy
to assume that someone in city government owes something to this company. Unless the city council takes definitive action and gets Time Warner to compensate their customers for the failure to provide adequate service this will be a major issue in the next election.

Ken knows that I have been asking about this for sometime. What is the problem? Why are there not other providers? Does this company have no accountability for not providing the services for which we pay more than comparable service in Omaha?

Looking forward to a reply.

Gary Heusel
Can I ask where our law enforcement is, and why we have so many illegal vehicles driving around, and so many illegal drivers (suspended licences) and drunks. Just look at all the wrecks involving suspended licenses. When we changed from the old yellow plates to the white we currently have, I sent Mayor Seng a list of about 300 vehicles driving around in May of that year with the yellow plates still on their vehicles. NO RESPONSE! In January of 08 I started a list for illegal vehicles driving in Lincoln with expired plates. As I went to gateway and Kohls from down town the middle two Saturdays of January. I wrote down plates at about every red light. MOST WERE 11/07 AND 12/07 BUT HAD SEVERAL FROM other months. even saw NQH 621 with a yellow plate that ran out in January of 05!!  Wrote down about 100 plates and that was just at red lights, would have had 300+ if we wrote them all down. Tons of no plates and month stickers on just front or back.  
I have just steamed for over a month when I think about all the people who pay their way, the LAW ABIDING CITEZEN, and then we have the dead beats who live off the rest of us. Just think of all the money they save by not licensing or insuring their vehicles. Who ends up paying their way. The rest of us. Sounds like welfare to me, I see enough of that in Lincoln with their hands out looking for more. 
I work full time and 3 part time jobs, why? To pay the taxes that support the dead beats who don't want to work and sit in the bus shelter at 11/0 and go to walmart everyday to SHOP, and SMOKE, DRINK then complain they don't have any money and it is not fair for them. 
I would like to see the Legislature change our welfare system to help people up not for them to just live on it. How about if they don't get any benefits unless they worked or trained the month before!! Not just sit at home and then go buy a big screen tv, and new cd player, and expect more hand outs so they go eat at the matt talbot so they have smoke money. 
Back to the issue of LPD.  
Start enforcing the parking bans in bus stops, loading zones, repeat offenders include pss622 at 17/0 loading zone for 5 or 6 hours at a time unless the 3 county car is in it then she just parks and plugs the meter, the wrecked blue jeep that sits at 14/0 every saturday for 6 hours at a time. Looks like the 21/o curve is a speed zone of 40 mph and not the 25 zone it is marked. Most of the outstanding warrants and other bigger law brakers could be taken off the street by enforcing the traffic laws and licensing. All of them started and lost their respect for the law by doing small things and graduated up to the big stuff.  
Road checks and school zone speed checks would stop most of the problems. Try speed checks after school around the high schools when the race drivers come out! How many hundred cars are driving around with no tail or brake lights, head lights are optional I guess. here are some of the plates: PLW 038, 32D515,MJ1, 62-174 comm, OPA544, 11-F713, 6-1856, POV701, OOE408, 70K967, 3 B 2768 parks at 17/0 loading zone, pji1782, pfz179, por 735, 15 AL 20, arizona 154xdr, I even saw a california pick up the owner had taken a majic marker and changed the 07 to 08.  YOU CAN NOT TELL ME THAT LPD DOES NOT SEE THESE OFFENDERS!!!!! WHY don't they enforce the RULES!!!!
A little more about energy efficiency from Amory Lovins, last week's E.N. Thompson lecturer. Lovins said in his opinion, Lincoln Electric System should be spending 4 to 5% of its budget on energy efficiency.

Marilyn McNabb

I am writing this letter out of concern and anger! I am at my wits end. so I am taking it to the top to hopefully get some action, or perhaps an explanation why my child's safety and other children's safety is not important to the school or city, yes, these are loaded words!

My child attends Clinton school. There is a tiny school buffer zone, which does not cover the corner of 27th and holdredge, for the life of me i do not know why. I request that you have some one monitor that corner before and after school to get a real idea about what's going on there. I encourage you to talk to people at the school, CLC (community learning center), and the Salvation Army. They have taken on protecting the children in this dangerous intersection because the city and the police department (who only give out tickets the 1st week and the last week of the school year, i even called the univeristiy police department because their workers and student often blow by what little school zone there is). has done such a reckless job of it.

They have a safe walk to the shield club, because they understand and can speak first hand to children being in danger of being hit etc. I have personally been in other parts of the city, 70th st. and 13 st. so I know they can do better at protecting our children and letting drivers know to slow down and watch out for student.

Please contact Stanford Bradley at the Salvation Army 435-3035 he can give you first hand accounts and eye witness testimony, he's seen it happen and is also very concerned!

thanks for your help in this matter.

keri rockwell
h 327-9879
w 472-8311
slowdownschoolzone@yahoo.com
Chris,

As I listened to Greg MacLean reiterate one of the City’s goals of better co-locating Planning, B&S, Public Works, Engineering, etc at this morning’s Transportation & Public’s Works Forum, it occurred to me that perhaps these offices should/could better co-locate somewhere besides 555 S. 10th. In fact, rather than re-locating the jail at tremendous expense, relocate everyone else from 555 S. 10th. Why? Cost-effectiveness! Jail Standards mandate an almost cost-prohibitive ‘square foot’ costs of new compliant jails. I estimate that the square foot costs of a new jail are probably double the square foot costs of new office space. So keep our tremendously expensive jail facility where it’s at, and transform the remainder of 555 S. 10th into new jail space as necessary. Perhaps there could even be some remaining space for a jail-related courtroom or two or three – minimizing the never-ending concerns of safety and costs of transportation of transporting prisoners to and from the jail to the courthouse.

And then where would all the other displaced occupants of 555 S. 10th move to? Well, the City has been seemingly unsuccessful in attempting to find catalyst projects for the Antelope Valley re-development efforts for several years. Perhaps the savings from not having to ‘start over’ with an entirely new expensive jail facility would provide much of the savings to construct a new City/County Building – any costs would probably a much easier ‘pill to swallow’ for the taxpayers than spending $100 million for a new jail! This would seem to provide a great opportunity to solve numerous current inadequacies of our current facilities. And if for some reason Antelope Valley doesn’t work, there will also soon be the State Fair Park. Actually, I think the a new City Office Building on Antelope Creek truly has tremendous potential, and could actually be done as a long-term cost savings to the City/County by leaving the jail where it is.

So that’s my “two (or 3 or 4) birds with one stone” idea. Thanks for listening!

R. Scott Sandquist,  AIA
Sandquist Construction & Development
3701 O Street, Suite 202
Lincoln, NE 68510-1698
402-466-2041
scott@sandquistcgi.com
Linear City Council Members
555 South 10th St.
Lincoln, Ne. 68508

Dear Council Member;

Upon reading the enclosed article in the Lincoln Journal Star (Febr. 13, '08 edition) I thought I should inform the City Council Members and the Members of the Lincoln-Lancaster County Health Board of the misconceptions and errors contained in the article regarding the Humane Society's future contract with the City of Lincoln.

In 2005, on behalf of Wilderness Kennels, I submitted a bid to contract with the City of Lincoln to handle the City/County stray dog and cat problem. Our bid was considerably less than the recent bid made by the Humane Society; within five years our contract would provide an enormous savings to the City (see price comparisons at the end of this letter).

Mr. Bruce Dart, his assistant and a representative from the Mayor's office were shown our facilities that would be used for the housing of the stray animals. Mr. Dart and the others were impressed with our facility but said that the price of our bid was too high.

We also informed Mr. Dart that a new "state of the art" facility would be built on our land to take care of the stray animals. Upon consummation of our agreement with the City/County the new facility would be operational within nine to twelve months.

Mr. Dart and his assistants thought our idea for a new facility was great but told us once again that our bid was too high -- this time it was because of "budget Cuts."

Also available on our property is a stable with pasture that

TRAINING
Gun dog & Field trial prospects Obedience

BOARDING dogs & cats
Indoor-outdoor runs Heated & air-conditioned Stereo Music

OFFERING for sale
Field-quality Labrador Retrievers Class-English Pointers Potties
can be used to house large livestock for care or treatment.

Wilderness Kennels is more centrally located than the Humane Society with easy access to Saltillo Rd. and Ry. #77.

This current proposed contract between the Humane Society and the City of Lincoln becomes a bit confusing when you consider that a non-profit organization (Humane Society) is requesting more money than a private, for profit business (Wilderness Kennels).

Our family has owned and operated Wilderness Kennels for the past forty-one (41) years. We don't lack experience in the handling of dogs, cats and other animals.

Sincerely,

Henry D. Sader, IV
Wilderness Kennels

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**PRICE COMPARISONS BETWEEN HUMANE SOCIETY AND WILDERNESS KENNELS**

<table>
<thead>
<tr>
<th></th>
<th>Humane Society fee</th>
<th>Wilderness Kennels fee</th>
<th>City Savings</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st year</td>
<td>$390,000</td>
<td>$375,000</td>
<td>$15,000</td>
</tr>
<tr>
<td>2nd year</td>
<td>420,000</td>
<td>393,333</td>
<td>26,667</td>
</tr>
<tr>
<td>3rd year</td>
<td>450,000</td>
<td>411,666</td>
<td>36,334</td>
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<tr>
<td>4th year</td>
<td>480,000</td>
<td>430,000</td>
<td>50,000</td>
</tr>
<tr>
<td>5th year</td>
<td>510,000</td>
<td>448,333</td>
<td>61,667</td>
</tr>
<tr>
<td>6th year</td>
<td>540,000</td>
<td>466,666</td>
<td>73,334</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$2,790,000</strong></td>
<td><strong>$2,524,998</strong></td>
<td><strong>$265,002</strong></td>
</tr>
</tbody>
</table>

CC: All members of the Lincoln-Lancaster County Health Department
Mayor Chris Beutler
Lincoln Journal Star Newspaper
WILDERNESS KENNELS
Henry & Judy Sader • Roca, NE • 68430 • 402/423-4212 423-9707
August 30, 2005

Mr. Bruce D. Dart, MS
Health Director
Lincoln-Lancaster Health Dept.
3140 'N' Street
Lincoln, Ne. 68510-1514

In Re: Proposal for Lincoln-Lancaster County Animal Control Center

Contract Fee: The fee to be paid to us by the City/County for the first year would be $375,000.

The fifth year fee would be $450,000.

The fees for the second year through the fourth years would be at proportional increments between the cost of the first year and the cost of the fifth year.

Contract Length: Five (5) years with guaranteed renewable option.

Contract Duties: Maintain City/County captured/stray animals.

Facility Location and Capability: 2030 Saltillo Rd., Roca, Ne. 68430

Dogs — 50 individual kennel runs
Cats — 25 individual units
Other — Most domesticated animals, reptiles and birds.
Operating Room (Veterinarian necessities)
Adoption Center

Sincerely yours,

Henry D. Sader, Jr.

TRAINING
Gun dog & Field trial prospects
Obedience Protection

BOARDING dogs & cats
Indoor-outdoor runs
Heated & air-conditioned
Stereo Music
Specially equipped cattery

OFFERING for sale
Field-quality Labrador Retrievers
Class-English Pointers
Rottweilers
German-bred German Shepherds

TOTAL P. 02
City OKs Capital Humane bid

Next-cheapest shelter would have added $400,000 to city costs.

BY MARK ANDERSEN
Lincoln Journal Star

In the 43rd month since the city's animal shelter contract with the Capital Humane Society expired, the two sides appear poised to move ahead with a four-year contract, costing Lincoln $390,000 the first year.

The advisory board of the Lincoln-Lancaster County Health Department unanimously recommended approval of the plan Tuesday.

The deal was negotiated after Capital submitted the only bid in response to the latest city request for proposals. That bid initially sought an estimated $540,000 on a per-animal basis or $440,000 as a flat annual fee.

The four-year flat-fee contract negotiated since then would start at $390,000 for the first year and increase by $30,000 in each of the remaining three years. It contains an option to renew for another four years.

Health Department Director Bruce Dart said after the vote that he would forward the proposal to the City Council soon but did not specify a time frame. Under the terms of the bid, the contract would take effect Sept. 1.

"You can see how much cheaper this is compared with all the other bids we've had in the past four years," Dart earlier told the health board.

The irony is that the city's last contract paid Capital Humane $158,505 per year, and the impasse occurred after the society requested $253,000 per year.

Since that contract expired, Capital Humane has continued to accept city animals on a monthly basis for the equivalent of $244,000 per year.

At one point in the impasse, former Mayor Coleen Seng bid Capital Humane adieu, suggesting Lincoln could find better suitors. It couldn't.

Last October, mayoral aide Rick Hoppe noted the cheapest shelter alternative identified by a study would have added at least $400,000 to existing city costs.

"Capital Humane Society feels it has subsidized the city for a number of years," Hoppe said Tuesday. As a result, he said, Capital Humane feels its mission of finding homes for animals has been hurt.

"They want us to pay our freight," he said.

He added that city negotiators were pleased Capital Humane agreed to reduce its request by as much as it has.

"It's still the best deal we can get," he said. "They're still a trusted partner in the community."

Added Dart, "There is no other option here."

The first public indication of a reconciliation by the two sides began to appear last fall.

Board member and City Councilman Ken Svoboda said Tuesday the flat-fee proposal provided the city with no incentive to reduce the number of animals going to the shelter. He suggested that in the second four years of the contract, if renewed, the council might want to look at ways of reducing the costs by reducing the number of animals sheltered.

Meanwhile, where the city will come up with an additional $150,000 to pay for the contract hasn't been determined. Dart said he would argue the money should not come entirely out of the health department budget.

Looking back at the contentious contract ordeal, Dart said after the meeting he had learned much from what went wrong.

"There is so much I wish would have happened differently," he said.

Both parties have learned a lot about each other in their talks since, he said. Right now, Dart said, "Our partnership with Capital Humane Society is the strongest it's ever been."

Reach Mark Andersen at 473-7238 or manderse@journalstar.com.
TO ALL city council members for your edification. From your showing during the council meeting on the LES budget this should give you a greater heightened awarness of the urgency of our city and global crisis on all forms of energy. Lynn Darling 2601 sw 23 Lincoln Ne.

----- Original Message ----- 
From: Amy Rose Brt 
Sent: Wednesday, February 20, 2008 1:13 PM 
Subject: lights out & global awarness

This is a forwarded message from a fellow student. I encourage all of you to contact local media and community leaders, businesses to get them to participate. I intend to!

Love, light & support,

[IMAGE] Amy Rose

Hi everyone. I stumbled across a news article today on the Climate Crisis Coalition website www.climatecrisiscoalition.org for a great global awareness project that starts at the local level, us, and spreads across the planet from there. Click on the activism website www.earthhour2008.org On march 29th at 8:00 PM individuals, neighborhoods, towns, cities, and businesses will be turning off their lights for one hour with the idea of demonstrating how one person can make a difference towards global warming/climate change. This started last year in Australia and now the word is spreading worldwide. Consider the impact of a billion or more people turning off their lights for one hour on the global power grid and then consider what this single idea can accomplish. People and businesses all across the planet will become united for one hour with one voice directing our leaders to take action as we pursue solutions to the rapidly advancing energy crisis and the lasting effects of climate change on our planet. This is a great opportunity to write letters to the mayors of our cities and business leaders to get on board with earthhour2008. Thanks for your ear.
lights out,
gary

Need to know the score, the latest news, or you need your Hotmail®-get your "fix". Check it out.
2/20/08

Tammy,

Please copy and insert the comments about proposed plans for Taylor Park in the City Council members Thursday packet. If you have any questions please contact Darnyli Pederson at 489-6473 or Lillie Larsen at 488-7038.

Thank you for your help.
2/20/08

Attn: Lincoln City Council

I would like to draw attention to a number of possible school related issues regarding the proposed storm water runoff detention basin in Taylor Park. These issues should be addressed before the retention basin becomes a done deal. The Lincoln City Council voted for a 60 day delay (on Monday) in approving the Deadman’s Run Watershed Study because of concerns raised by myself and others about this detention basin and another located by the Lutheran School, on north 56th street, that borders Deadman’s Run.

The first possible issue is that the retention pond would become an attractive nuisance (danger) when filled after a storm water runoff event. Eastridge School property will directly border the proposed detention pond. Because the pond would be filled infrequently it is likely that children going to and from school will be attracted when there is water in the pond. With the proposed slopes there is always the possibility of children slipping and falling or walking into the water. I do not have the expertise to evaluate this possibility, but knowing kids believe it should be considered a possibility and the dangers assessed. I also do not know if there is any provision for crossing the pond (when detention pond water is present) on dry sidewalks.

The second possible issue is that the bridge by the playground is to be replaced during the current project in the park by a low walkway across the creek with small culverts underneath to handle normal flows. During runoff events this walkway will be submerged. I am not happy with the design, but that is what was decided. The danger is that if a child, going to or from school, slips or falls off the submerged walkway they may end up being swept into the culverts under Shopko. This can be a problem during low runoff events as well as large events as they would be required to judge how deep the water is which is leaving a lot to the young mind. Adults have enough problems in driving cars through submerged roadways. The detention pond would increase the risk because it would be draining over a much longer period of time as compared to the flashy runoff currently experienced so the walkway would be submerged for a longer period of time. An additional point to consider is that some of the larger runoff events on Taylor Creek have occurred in the Fall so one cannot assume that they occur only during the summer when school is not in session.

The third possible issue regards the geothermal system used at Eastridge School. This one should be easy to check. Are the groundwater levels in the geothermal field higher than the channel base of Taylor Creek? Drillers logs should show this. If groundwater levels are higher in the geothermal field it is possible that construction of the retention pond would drop groundwater levels making the geothermal system less efficient. Based on the lay of the land one would suspect groundwater levels in the geothermal field are higher.

The first two possible issues should also be considered at the proposed 55th street detention basin, but my first concern is with the Taylor Park site. Perhaps my concerns on the first two issues are overly pessimistic but one child drowning going to or from school represents an unacceptable outcome to me. I remember well the days when my children walked to Eastridge School through the park. At that time I thought how wonderful that they did not have to cross streets. I worry that the present designs on Taylor Park will make the park a danger rather than an asset.

Darryll Pederson - 527 Rockhurst Drive
ADDENDUM TO DIRECTORS’ AGENDA
MONDAY, FEBRUARY 25, 2008

I. MAYOR -
   1. NEWS ADVISORY - RE: Mayor Beutler’s Public Schedule Week of February 23 through February 29, 2008 - Schedule subject to change.
   2. NEWS RELEASE - RE: Mayor Names Impact Fee Study Committee.
   3. NEWS RELEASE - RE: Public Invited To Learn About Research Corridor.

II. CITY CLERK - NONE

III. CORRESPONDENCE -
   A. COUNCIL REQUESTS/CORRESPONDENCE - NONE
   B. DIRECTORS AND DEPARTMENT HEADS -
      CITY ATTORNEY’S OFFICE
      1. Memo from Joe Rupp, Assistant City Attorney - RE: Item #6, 08R-30, Paving Unit - Q Street, 35th to 36th Street (E-Mail to Council on 02/22/08)
   C. MISCELLANEOUS - NONE
Date: February 22, 2008
Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Beutler’s Public Schedule
Week of February 23 through 29, 2008
Schedule subject to change

Sunday, February 24
• Make-A-Wish Foundation 7th Annual Academy Awards party, remarks - 6 p.m., Lincoln Station Great Hall, 201 N. 7th St.

Monday, February 25
• League of Nebraska Municipalities Midwinter Conference - welcome remarks, 8 a.m.; luncheon, noon; social, 6:30 p.m.; Cornhusker Marriott, 333 S. 13th St.
• State Farm announcement of awards, remarks - 3 p.m., 84th and “O” streets

Tuesday, February 26
• League of Nebraska Municipalities Senator recognition luncheon - noon, Cornhusker Marriott

Wednesday, February 27
• Downtown Forum luncheon - 11:30 a.m., Embassy Suites, 1040 “P” St.

Thursday, February 28
• KLIN Morning Show - 8:10 a.m., 4343 “O” St.
• News conference - 10 a.m., topic and location to be announced
• International visitors from several countries - 1:30 p.m., Mayor’s Conference Room, 555 S. 10th St.
MAYOR NAMES IMPACT FEE STUDY COMMITTEE

Mayor Chris Beutler today announced his appointments to a committee that will review the impact fee policy in the City:

- Jim Christo of Christo Design Build Inc. will represent the Lincoln Independent Business Association.
- Nick Cusick of IMSCORP will represent the Lincoln Chamber of Commerce.
- Fred Hoke of the Home Builders Association of Lincoln will represent home builders.
- Steve Stueck of HOME Real Estate will represent the Realtors Association.

City staff named to the committee are be Rick Peo of the City Attorney’s Office and three employees of the Public Works and Utilities Department – Director Greg MacLean, Utilities Administrator Steve Masters and Business Manager Margaret Remmenga.

Impact fees have been collected since June 2003 to cover a portion of new infrastructure construction costs. The fee was scheduled to increase by 2 percent each year for inflation. In January, the City Council voted to freeze impact fees at the 2007 level for one year while a study is conducted.

The committee will look at alternatives to the structure and the distribution of the fees collected. The group will present its consensus recommendations to the MOVE (Mayor’s Opportunities for a Vibrant Economy) Council. This group of community leaders includes representatives from the organizations above as well as the Lincoln Partnership for Economic Development, the University of Nebraska, Vision 2015, Lincoln Public Schools, neighborhoods and non-profits.

Changes to the impact fee structure would require City Council approval.
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: February 22, 2008
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Wynn Hjermstad, Urban Development, 441-8211

PUBLIC INVITED TO LEARN ABOUT RESEARCH CORRIDOR

Mayor Chris Beutler today urged residents to attend one of the public meetings scheduled over the next few weeks on the proposed master plan for the Antelope Valley Research and Development Corridor.

"Public and private research and development efforts have a huge economic benefit to our City," said Beutler. "By removing the flooding threat from a large area near the University, the Antelope Valley Project presents us with tremendous opportunities to expand in this area. We need the public to be involved as we create a vision for the corridor."

A proposed master plan has been developed by the Portland, Oregon firm of Crandall Arambula, which also worked with the City on the downtown master plan. The firm will share its recommendations with the public and take comments at a meeting at 7 p.m., Thursday, February 28 in the Lancaster Room at the Cornhusker Marriott.

Follow-up meetings also are set for three specific groups:

- Property owners in the corridor -
  - noon Friday, February 29, St. Paul United Methodist Church, 1144 “M”St., lower level dining room
  - 5:30 p.m. Wednesday, March 12, Elliott Elementary, 225 S. 25th St., east entrance, room B112
- Downtown property owners -
  - noon Tuesday, March 4, St. Paul, lower level dining room
  - 5:30 p.m. Monday, March 10, St. Paul, lower level dining room
- Neighborhood residents - 7 p.m. Tuesday, March 18, St. Paul, classroom 155/157

Three documents will be discussed at the meetings:

- Antelope Valley Research and Development Corridor Master Plan
- Antelope Valley Planned Unit Development
- Lincoln Downtown Neighborhood Design Standards

The documents will go to the Lincoln-Lancaster County Planning Commission and the Lincoln City Council for approval. The documents and more information on the Antelope Valley Project are available on the City Web site, lincoln, ne.gov (keyword: antelope).
MEMORANDUM

TO       City Council
FROM     Joe Rupp, Asst. City Attorney
DATE     February 22, 2008
SUBJECT  Paving Unit - Q Street, 35\textsuperscript{th} to 36\textsuperscript{th}
CC       Elmer Cole
          Dana Roper
          Marvin Krout
          Greg MacLean

A question has arisen as to whether the City can specially assess Wyuka Cemetery for street improvements. On February 25, 2008, the City Council will consider a Resolution for Paving Unit - Q Street, 35\textsuperscript{th} to 36\textsuperscript{th}. Wyuka Cemetery owns approximately fifty percent of the property in this paving unit.


(2) The trustees of Wyuka Cemetery shall have the power, by resolution duly adopted by a majority vote, to authorize one of their number to sign a petition for paving, repaving, curbing, recurfing, grading, changing grading, guttering, resurfacing, relaying existing pavement, or otherwise improving any street, streets, alley, alleys, or public ways or grounds abutting cemetery property. When such improvements have been ordered, the trustees shall pay, from funds of the cemetery, such special taxes or assessments as may be properly determined.

Under § 12-101, Wyuka Cemetery trustees are authorized to sign a petition and must pay for the resulting improvement. It is unclear whether the trustees have to pay for an improvement when they do not sign a petition. The argument is that the trustees only have to pay for “such improvements” authorized by their petition.

Here, the Resolution, as proposed, paves Q Street, 35\textsuperscript{th} to 36\textsuperscript{th} without petition under Neb. Rev. Stat. § 18-2001. In the absence of a signed petition from Wyuka Cemetery, the ability of the City to enforce a special assessment is questionable. In fact, the City has previously lost three cases on special assessments against Wyuka Cemetery, Lancaster Docket Nos. 201-205, 245-141, and 246-113. Therefore, if the City Council passes this Resolution, the City may have to subsidize the Wyuka Cemetery special assessment.