IN LIEU OF
DIRECTORS’ MEETING
AGENDA FOR
MONDAY, JANUARY 18, 2010

I. CITY CLERK

II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS TO COUNCIL

MAYOR
1. NEWS RELEASE. More artists needed for rain barrel art project.
2. NEWS RELEASE. Mayor presents December Award of Excellence to Esther Hernandez.
3. NEWS RELEASE. Mayor Beutler and Police Chief Casady will release City crime statistics for calendar year 2009 at a news conference, Friday, January 15, 9:00 am, 575 S. 10th Street, Police media room.
4. NEWS ADVISORY. Nominations deadline extended one week for Mayor’s Arts Awards.

DIRECTORS

CITY LIBRARIES
1. Nominations are being accepted for the title to be read as part of the 2010 One Book - One Lincoln community reading program.
2. Eiseley Branch Library’s “Read to a Dog” program will be on Sundays starting January 24.

HEALTH DEPARTMENT
1. Response to Francisco Salazar complaint listed under Miscellaneous 8 from Nancy Clark, Environmental health Supervisor.

PLANNING COMMISSION

PUBLIC WORKS AND UTILITIES
1. Correspondence from Karen Jensen on snow removal with reply from Scott Opfer, Street and Traffic Operations Manager.
III. COUNCIL RFI’S AND CITIZEN CORRESPONDENCE TO INDIVIDUAL COUNCIL MEMBERS

DOUG EMERY
1a. Reply to Pat Anderson Sifuentez regarding certain Walgreens stores meeting criteria for liquor licenses.
   1b. Correspondence from Pat Anderson-Sifuentez opposing liquor licenses at particular Walgreens locations.

IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL
1. Email from Pat Anderson-Sifuentez opposing Walgreens liquor license at 17th and South and 13th and O Streets.
2. Correspondence from Lois Poppe urging Council members to vote against the Walgreen liquor licenses.
3. Letter from Bob Reeves stating reasons he will vote no for the arena bond issue.
4. Note, with newspaper statement, from Nancy Russell stating her opinion that the City needs to adapt to frugal spending instead of being irresponsible. (Council Members received before Directors Meeting on 01/11/10)
5. Letter from an anonymous citizen with thoughts and suggestions for the City of Lincoln. (Council Members received on 01/11/10 before the Directors Meeting)
6. Letter from Mike Morosin asking for answers to questions on Lincoln’s wheel tax.
7. InterLinc correspondence from Sheryl Schultz opposing Walgreens liquor license at 14th and O Streets.
8. InterLinc correspondence from Francisco Salazar on street parking problems. (Forwarded to Greg MacLean and Scott Opfer, Public Works and Utilities Department; Bruce Dart, Health Director; and Lin Quenzer, City Ombudsman)

V. ADJOURNMENT
MORE ARTISTS NEEDED FOR RAIN BARREL ART PROJECT

Less than two weeks remain for local artists to submit their application to participate in the Artistic Rain Barrel program to benefit the Pioneers Park Nature Center’s scholarship programs. The applications, due Monday, January 25, are available on the City Web site, lincoln.ne.gov (keyword: rain barrel); at the City Parks and Recreation office, 2740 “A” St.; and at the City Watershed Management office, 901 N. 6th St.

Twenty-five artists will be selected to paint rain barrels, which will be auctioned to the public in April.

Rain barrels are above-ground containers modified to receive, store and distribute rooftop runoff for non-drinking uses. The project is sponsored by the Friends of Pioneers Park Nature Center and the Watershed Management Division of the City Public Works and Utilities Department.

The Friends organization will notify selected artists by January 29. The artists will have four weeks to paint and return the barrels along with the title of the work, the artist’s bio and a written description of their work. Decorated rain barrels will be on display at local businesses and libraries during March and early April, and they will all come together for display at the Nature Center from April 10 through 17. The project will conclude with the auction at 9 a.m. Saturday, April 17 at the “Nature’s Market” at Pioneers Park. Photos of the barrels and more information also will be posted on the City Web site.

For more information, contact Watershed Management at 441-7075 or the Pioneers Park Nature Center at 441-8709 or visit lincoln.ne.gov (keyword: rain barrel).
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: January 11, 2009
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

MAYOR PRESENTS DECEMBER AWARD OF EXCELLENCE

The Mayor’s Award of Excellence for December was presented today to Esther Hernandez, a receptionist in Aging Partners. The monthly award recognizes City employees who consistently provide exemplary service and work that demonstrates personal commitment to the City. The award was presented at today’s City Council meeting.

Hernandez has worked for the City since July 2009. Aging Specialist Bill Booe nominated her in the category of valor for her reaction to a life-threatening incident. Just before noon last October 3rd, Hernandez was having lunch with about 30 others at the Downtown Senior Center. A client who was enjoying the same meal began choking on her food. When the choking continued and the woman turned red, Hernandez administered back blows to the woman. When that didn’t work, she administered the Heimlich Maneuver. After two attempts, a piece of food was dislodged and the woman could breathe again. The client said she was very lucky that Esther was there and grateful that she knew what to do.

Bill writes this potentially lifesaving action is well outside the scope of Esther’s job description. But he said it is in Esther’s character to be calm and collected and to be helpful and kind to those in distress. Bill wrote that she generally makes things better for those around her.

The other categories in which employees can be nominated are safety, customer relations, loss prevention and productivity. Consideration also may be given to nominations that demonstrate self-initiated accomplishments or those completed outside of the nominee’s job description. All City employees are eligible for the Mayor’s Award of Excellence except for elected and appointed officials. Individuals or teams can be nominated by supervisors, peers, subordinates and the general public. Nomination forms are available on the City Web site at lincoln.ne.gov (keyword: personnel) or from department heads, employee bulletin boards or the Personnel Department, which oversees the awards program.

All nominations are reviewed by the Mayor’s Award of Excellence Committee, which includes a representative with each union and a non-union representative appointed by the Mayor. Award winners receive a $100 U.S. savings bond, a day off with pay and a plaque. Monthly winners are eligible to receive the annual award, which comes with a $500 U.S. savings bond, two days off with pay and a plaque.
DATE: January 14, 2010
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Chris Beutler and Police Chief Tom Casady will release the City crime statistics for calendar year 2009 at a news conference at 9 a.m. Friday, January 15 in the Police media room, 575 South 10th Street. The Mayor also will release two more results related to safety and security from the City’s recent phone survey.

The Police media briefing will begin at 8:45 a.m. as usual.
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: January 14, 2010
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831
Deb Weber, Lincoln Arts Council, 434-2787

NOMINATIONS DEADLINE EXTENDED ONE WEEK
FOR MAYOR’S ARTS AWARDS

The deadline has been extended to Friday, January 22 to submit nominations for the 32nd annual Mayor’s Arts Awards. The awards will be presented by the Lincoln Arts Council (LAC) Monday, June 7 at the Lied Center for Performing Arts. The Mayor’s Arts Awards program formally recognizes artistic contributions and achievements in the Lincoln area.

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.

Winner in the following categories will be selected by a panel of arts professionals:

- 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 and is endowed by the Gladys Lux Foundation.
- 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 recognizes a performance, exhibition or project in the previous year that will be notable in the community memory for years to come because of its content or cultural significance.
- The Haleyon 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 award is sponsored by the Oliva Family.
Three other awards also are presented at the event:

- The **Literary Heritage Award** recognizes a writer or individual who promotes excellence in writing and literature in Nebraska. The winner is chosen by the Nebraska Literary Heritage Association, which also sponsors the awards.

- The **Larry Enersen Award** recognizes outstanding urban design in Lincoln. It is chosen by the Urban Design Committee and sponsored by Clark Enersen Partners.

- Mayor Beutler will select the recipient of the **Mayor’s Choice Award**.

Nominations from the previous year are automatically resubmitted, and updates to the 2009 nominations will be accepted.

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 2009 for memorial recognition at the event.
Thanks Nancy

-----Original Message-----
From: Nancy M. Clark
Sent: Thursday, January 14, 2010 1:58 PM
To: Bruce D. Dart; Tammy J. Grammer; Greg S. MacLean; Scott A. Opfer; Lin Quenzer
Cc: Scott E. Holmes
Subject: RE: InterLinc: Council Feedback

Bruce,

JBare went by this Nelson St address, identified the hauler in the area, and made contact. The hauler picks up in that area on Tuesday and Friday. He will send a pick-up in to get the trash collected if the garbage truck cannot get in. Either way, he will be sure all trash gets picked up tomorrow morning.

Nancy

Nancy Clark, REHS
Environmental Health Supervisor
Environmental Public health Division
Lincoln-Lancaster County Health Department
402 441-8020

-----Original Message-----
From: Bruce D. Dart
Sent: Thursday, January 14, 2010 9:41 AM
To: Tammy J. Grammer; Greg S. MacLean; Scott A. Opfer; Lin Quenzer
Cc: Scott E. Holmes; Nancy M. Clark
Subject: RE: InterLinc: Council Feedback

Scott, Nancy, there is a garbage complaint on the tail end of the email that I would appreciate a response to.

thanks

Bruce

Bruce D. Dart, Ph.D.
Health Director
Lincoln-Lancaster County Health Department 3140 N Street Lincoln, NE 68510
402-441-8001
bdart@lincoln.ne.gov
Public Health, every one, every day, every where
-----Original Message-----
From: Tammy J. Grammer
Sent: Thursday, January 14, 2010 9:35 AM
To: Greg S. MacLean; Scott A. Opfer; Lin Quenzer; Bruce D. Dart
Subject: FW: InterLinc: Council Feedback
Importance: High

To: Greg and/or Scott: Please see email below. Could you please respond to this email regarding the parking banned on the south side of Nelson Street?

To: Bruce and/or Lin: Please see email below. Could you please respond to this email regarding the trash not being regularly picked up on account of the garbage truck being unable to fit down the street in the early morning hours?

Would you be the appropriate people to respond to this email regarding Francisco Salazar issues. Please let me know. If so, could you please send a copy of the responses to the City Council Office. This email will be listed on the Directors Agenda for 01/18/10. If you have any questions, please let me know. Thanks.

Tammy Grammer
City Council Secretary
441-6867

-----Original Message-----
From: WebForm [mailto:none@lincoln.ne.gov]
Sent: Wednesday, January 13, 2010 7:33 PM
To: Tammy J. Grammer
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for General Council

Name: Francisco Salazar
Address: 1131 Nelson St
City: Lincoln, NE 68521
Phone: 402-430-3300
Fax: Email: fsalazar@neb.rr.com

Comment or Question:
Dear Lincoln City Council,

I have an issue with parking on the street in front of my house and I am not certain whom to address my issue with, so I am starting with you. I live on the block of Nelson St. between 11th St. and Lewis Ave. There are duplexes on the north side of the street on this block. All of the duplexes have two car garages, and they have driveways that are large enough for two or four cars to be parked in them. However, the residents of these duplexes rarely use their garages and driveways for parking. Instead, they prefer to line both sides of the street with parked cars.
This is highly inconvenient in the summer, but it is intolerable when there is snow. There have been several instances this winter where I have been unable to fit my vehicle between two parked cars on the street and had to turn around and come in from the other direction. On one occasion, I was unable to get my car through to my house from either direction and had to park on the street myself. Additionally, my trash is not being regularly picked up on account of the garbage truck being unable to fit down the street in the early morning hours.

My proposed solution is simple. I would like to have parking banned on the south side of Nelson St. between 11th St. and Lewis Ave. This would ensure that vehicle traffic can get down the street at all times. Additionally, it would force the residents of the duplexes to use their garages and driveways as they are meant to be used (for the parking of their vehicles). While the residents of these duplexes may find this inconvenient, it is socially irresponsible for them to be hoarding the street and inconveniencing their neighbors.

Please let me know if there is any way that I can have parking banned on the south side of Nelson St. on this block.

Thank you,

Francisco Salazar
ONE BOOK – ONE LINCOLN 2010 - Title nominations now being accepted

Nominations are now being accepted for the title to be read as part of the 2010 One Book – One Lincoln community reading program. You can nominate a title using the library’s Web site at www.lincolnlibraries.org; send an e-mail with title and author to library@lincolnlibraries.org, or pick up a nomination form at Lincoln City Libraries.

Since the program began in 2002, the community has enjoyed reading and discussing Plainsong, Bel Canto, Peace Like a River, Kite Runner, Devil in the White City, The Worst Hard Time, The Thirteenth Tale, and most recently, People of the Book.

Selecting a book for all of Lincoln to read and discuss is the first and most important step of planning the program. Only titles nominated by the community are considered. A committee of community readers will select 5 finalists. New this year is a community vote to determine THE BOOK for 2010. After the five finalists are announced, the community will be invited to vote on which of the finalists it would like to read in 2010.

The title nomination period ends February 2nd.

###

Barbara Hansen
Administrative Aide
Lincoln City Libraries
402-441-8512
Eiseley Branch Library's "Read to a Dog" six week program will be on **Sundays** beginning January 24th. Incorrect information was previously e-mailed.

Barbara Hansen  
Administrative Aide  
Lincoln City Libraries  
402-441-8512
NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, January 13, 2010, at 1:00 p.m., in the City-Council Hearing Room, County-City Building, 555 S. 10th St., Lincoln, Nebraska, on the following items. For more information, call the Planning Department, 441-7491.

The Lincoln/Lancaster County Planning Commission will meet on Wednesday, January 13, 2010, in Conference Room 113 of the County/City Building, 555 S. 10th St., Lincoln, Nebraska, from 11:45 a.m. - 12:15 p.m. for a briefing by staff on proposed text for pipeline notification and from 12:15 p.m. - 12:45 p.m. for a briefing by staff on Metropolitan Planning Organization process.

**PLEASE NOTE:** The Planning Commission action is final action on any item with a notation of “FINAL ACTION”. Any aggrieved person may appeal Final Action of the Planning Commission to the City Council by filing a Notice of Appeal with the City Clerk within 14 days following the action of the Planning Commission.

The Planning Commission action on all other items is a recommendation to the City Council or County Board.

AGENDA

WEDNESDAY, JANUARY 13, 2010

[All members present]

Approval of minutes of the regular meeting held December 16, 2009. **APPROVED, 9-0**
1. **CONSENT AGENDA**
   *(Public hearing and Administrative Action):*

**COMPREHENSIVE PLAN:**

1.1 Comprehensive Plan Conformance No. 09014, to review the proposed declaration of surplus property as to conformance with the 2030 Lincoln-Lancaster County Comprehensive Plan, generally located at N. 10th Street and Military Avenue.

   **Staff recommendation:** Conformance with the Comprehensive Plan
   **Staff Planner:** Tom Cajka, 441-5662, tcajka@lincoln.ne.gov
   **Planning Commission recommendation:** A **FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN, 9-0.**
   **Public Hearing before City Council tentatively scheduled for Monday, February 1, 2010, 3:00 p.m.**

**CHANGE OF ZONE:**

1.2 Change of Zone No. 09029, amending Section 27.26.080 of the Lincoln Municipal Code relating to Height and Area Regulations for the O-2 Suburban Office District to provide that the maximum height of buildings in said district shall not exceed 25' if the building has a flat roof and shall not exceed 28' if the building has a roof type other than flat; and repealing Section 27.26.080 of the Lincoln Municipal Code as hitherto existing.

   **Staff recommendation:** Approval
   **Staff Planner:** Tom Cajka, 441-5662, tcajka@lincoln.ne.gov
   **Planning Commission recommendation:** APPROVAL, 9-0.
   **Public Hearing before City Council tentatively scheduled for Monday, February 1, 2010, 3:00 p.m.**

**PERMITS:**

1.3 Special Permit No. 09028, for expansion of a nonconforming use, on property generally located at N. 30th Street and Apple Street (1011 N. 30th Street). **FINAL ACTION**

   **Staff recommendation:** Conditional Approval
   **Staff Planner:** Tom Cajka, 441-5662, tcajka@lincoln.ne.gov
   **Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the staff report dated December 29, 2009, 9-0.
   **Resolution No. PC-01188.**
MISCELLANEOUS:

1.4 Street & Alley Vacation No. 09007, to vacate a portion of North 14th Street, a portion of Court Street, a portion of North 16th Street, a portion of the east-west alley south of Rudolph Street, a portion of Claremont Street, a portion of Y Street, a portion of North 17th Street, a portion of the east-west alley south of New Hampshire Street and a portion of the east-west alley south of Charleston Street, generally bounded by North 14th Street to North 17th Street and Court Street to Charleston Street.

Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Tom Cajka, 441-5662, tcajka@lincoln.ne.gov
Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN, 9-0.
The provisions of Chapter 14.20 of the Lincoln Municipal Code must be satisfied prior to scheduling on City Council agenda.

2. REQUESTS FOR DEFERRAL: (See Items 4.2a and 4.2b)

3. ITEMS REMOVED FROM CONSENT AGENDA: None.

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:

COMPREHENSIVE PLAN:

4.1 Comprehensive Plan Conformance No. 09015, to review as to conformance with the 2030 Lincoln-Lancaster County Comprehensive Plan, the proposed creation of the South Street Business Improvement District for the provision of maintenance of certain public facilities and improvements in the area of South Street from the alley west of 9th Street east to 19th Street.

Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Brandon Garrett, 441-6373, bgarrett@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN, 9-0.
Public Hearing before the City Council tentatively scheduled for Monday, February 1, 2010, 3:00 p.m.

CHANGE OF ZONE WITH RELATED ITEMS:

4.2a Change of Zone No. 09027, from R-3 Residential District to B-2 Planned Neighborhood Business District, on property generally located at Lucile Drive and Pioneers Boulevard.

Staff recommendation: Approval
Staff Planner: Brian Will, 441-6362, bwill@lincoln.ne.gov
Applicant’s request for deferral granted, with CONTINUED PUBLIC HEARING AND ACTION scheduled for Wednesday, April 7, 2010, 1:00 p.m.
4.2b Use Permit No. 125A, an amendment to expand the use permit to allow a garden center in the B-2 Planned Neighborhood Business District, on property generally located at Pioneers Boulevard and Lucile Drive. **FINAL ACTION**

Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 441-6362, bwill@lincoln.ne.gov
Applicant’s request for deferral granted, with CONTINUED PUBLIC HEARING AND ACTION scheduled for Wednesday, April 7, 2010, 1:00 p.m.

MISCELLANEOUS:

4.3 Miscellaneous No. 09010, to review the proposed determination that the area of the "State Fair Park Redevelopment Area Blight and Substandard Determination Study" be declared a blighted and substandard area as defined in the Nebraska Community Development Law. The study area consists of an estimated 251 acres of public land use area (not including the rights-of-way of Salt, Oak and Antelope Creeks), generally located from 14th Street to 27th Street, between the Salt Creek and Burlington Northern and Santa Fe Railroad corridors.

Staff recommendation: Finding that there is a reasonable presence of substandard and blighted conditions
Staff Planner: Brandon Garrett, 441-6373, bgarrett@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: A FINDING OF REASONABLE PRESENCE OF SUBSTANDARD AND BLIGHTED CONDITIONS, 9-0.
Public Hearing before the City Council tentatively scheduled for Monday, February 8, 2010, 3:00 p.m.

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AT THIS TIME, ANYONE WISHING TO SPEAK ON AN ITEM NOT ON THE AGENDA, MAY DO SO

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**PENDING LIST:** None

**Planning Dept. staff contacts:**

Steve Henrichsen, Development Review Manager . . 441-6374 . . shenrichsen@lincoln.ne.gov
Nicole Fleck-Tooze, Long Range Planning Manager 441-6363 . . ntooze@lincoln.ne.gov
Mike Brienzo, Transportation Planner . . . . . . . . 441-6369 . . mbrienzo@lincoln.ne.gov
Tom Cajka, Planner . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 441-5662 . . tcajka@lincoln.ne.gov
David Cary, Long Range Planner . . . . . . . . . . . . . . 441-6364 . . dcary@lincoln.ne.gov
Mike DeKalb, Planner . . . . . . . . . . . . . . . . . . . . . . . 441-6370 . . mdekalb@lincoln.ne.gov
Christy Eichorn, Planner . . . . . . . . . . . . . . . . . . . . . . 441-7603 . . ceichorn@lincoln.ne.gov
Brandon Garrett, Planner . . . . . . . . . . . . . . . . . . . . 441-6373 . . bgarrett@lincoln.ne.gov
Rashi Jain, Planner . . . . . . . . . . . . . . . . . . . . . . . . . . . . 441-6372 . . rjain@lincoln.ne.gov
Brian Will, Planner . . . . . . . . . . . . . . . . . . . . . . . . . . . . 441-6362 . . bwill@lincoln.ne.gov
Ed Zimmer, Historic Preservation Planner . . . . 441-6360 . . ezimmer@lincoln.ne.gov

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The Planning Commission meeting
which is broadcast live at 1:00 p.m. every other Wednesday
will be rebroadcast on Sundays at 1:00 p.m. on 5 City-TV, Cable Channel 5.

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The Planning Commission agenda may be accessed on the Internet at
http://www.lincoln.ne.gov/city/plan/pcagenda/index.htm
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
     Lincoln City Council

FROM : Jean Preister, Planning

DATE : January 14, 2010

RE : Special Permit No. 09028
     (1011 North 30th Street)
     Resolution No. PC-01188

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, January 13, 2010:

Motion made by Taylor, seconded by Lust, to approve Special Permit No. 09028, with conditions, requested by Ward Hoppe, for authority to expand a nonconforming use to reconstruct a duplex and maintain an existing drive that does not meet design standards, on property located at 1011 N. 30th Street.

Motion for conditional approval carried 9-0; Larson, Taylor, Francis, Partington, Lust, Cornelius, Esseks, Gaylor Baird and Sunderman voting 'yes'.

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.

The Letter of Acceptance will be mailed to the permittee by the City Clerk at the end of the 14-day appeal period.

Attachment

c: Building & Safety
Rick Peo, City Attorney
Public Works
Justin Johnson, Hoppe Homes, 5631 S. 48th, Suite 280D, 68516
Ward Hoppe, Hoppe Homes, 5631 S. 48th, Suite 280D, 68516
Curt Donaldson, Hartley Neighborhood Assn., 2860 R Street, 68503
Ralph Johnson, Hartley Neighborhood Assn., 819 N. 33rd Street, 68503
Barbara Cornelius, Hartley Neighborhood Assn., 3149 R Street, 68503

i://shared\wp\jlu\2010 ccnotice.sp\SP.09028
RESOLUTION NO. PC- 01188

SPECIAL PERMIT NO. 09028

WHEREAS, Ward Hoppe has submitted an application designated as Special Permit No. 09028 for authority to expand a non-conforming use to reconstruct a duplex and maintain an existing drive that does not meet design standards on property generally located at 1011 N. 30th Street, and legally described as:

Lot 19, except the south 66 feet of the east 100 feet, and except the south 72 feet of the west 90 feet, and the south 46.5 feet of Lot 20, Houtz and Baldwins Subdivision, located in the Northwest Quarter of Section 19, Township 10 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 expansion of a non-conforming use 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 Ward Hoppe, hereinafter referred to as "Permittee", to expand a non-conforming use to reconstruct a duplex and maintain an existing drive that does not meet design standards on the 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 duplex be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves the reconstruction of a nonstandard non-conforming duplex.

2. Before receiving building permits the Permittee shall:
   a. Cause to be prepared and submitted to the Planning Department a revised and reproducible plot plan including five copies showing screening in conformance with Chapter 3.50, Section 7.1 of the City of Lincoln Design Standards for the parking area.
   b. Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

3. The expansion shall meet all other yard and height requirements of the zoning district.

4. The use of the structures shall remain a single- or two-family dwelling.

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

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. The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, and his 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 23 day of January, 2010.

ATTEST:

Chair

Approved as to Form & Legality:

Chief Assistant City Attorney
Special Permit #09028
N 30th & Apple St

Zoning:

R-1 to R-8 Residential District
AG Agricultural District
AGR Agricultural Residnetial 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. 19 T10N R7E

Holdrege St
N 27th St
N 40th St
O St
Ms. Jensen,

I apologize for the fact that we have not met your expectations for snow removal. Our staff has worked very hard to keep our streets open following the 2\textsuperscript{nd} snowiest month on record. We will continue to work to improve our operations with our limited resources and although it’s impossible to meet everyone’s expectations, we continue to do our best. Again, I’m sorry for your inconvenience.

Scott A. Opfer, Manager
Street & Traffic Operations

-----Original Message-----
From: WebForm [mailto:none@lincoln.ne.gov]
Sent: Thursday, January 07, 2010 10:04 PM
To: Tammy J. Grammer
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for General Council

Name: Karen Jensen
Address: 1939 SW 33rd Street
City: Lincoln, NE 68522

Phone: 
Fax: 
Email: kkjensen@windstream.net

Comment or Question:
Hello,
I’m curious if the City Council intends to do anything to attempt to improve road conditions during and following winter storms. I am not at all impressed with the road conditions following storms -- downtown the roads have remained slick and neighborhoods are so rutted and slick that they are dangerous to drive through. I also feel that more people need to be contracted to plow neighborhoods so people can safely get out and get to work -- either that or city employers need to be encouraged to close down for storms. It's not safe to drive to work. I had to wait 3 days after the first storm and the second storm it was a little sooner, but a number of us in the neighborhood started shoveling the streets in advance so that we could hopefully get out. Now, you're not going to even plow neighborhoods unless people complain? That's not at all organized and going to waste a lot of time having trucks randomly drive around. Maybe it's time to get things better organized. I know it's important to have snow routes and arterials plowed, but then they should be a lot better too. I grew up in Milwaukee, WI and apparently got very spoiled with good quality plowing and city that knew how to get things done. Lincoln is a city that gets hit hard with winter, it should be able to handle it. If Grand Island can get their roads plowed and passable, then so should Lincoln. We're larger and the State Capitol after all. Shouldn't we be setting the example?
Dear Pat Anderson-Sifuentez: Your message has been received in the Council Office and was forwarded to the Council Members. Please see response from Councilman Doug Emery below. If you have any questions, please let us know. Thanks.

Tammy Grammer
City Council Secretary
City/County Building
555 S. 10th Street - Room 111
Lincoln, NE 68508
Phone: 402-441-6867
E-Mail: tgrammer@lincoln.ne.gov

-----Original Message-----
From: Doug Emery
Sent: Tuesday, January 12, 2010 5:30 PM
To: Tammy J. Grammer
Subject: RE: Emailing: Z1100111-Sifuentez.pdf

Pat,

I believe that ultimately the 48th and O Street and the 17th and Washington Walgreens will NOT qualify for a special permit and they will NOT get an ok for a liquor licence. (Obviously the State Liquor Commission has the final say) Unfortunately the 13th and O Walgreens meets our current criteria and it would be impossible to deny them a licence without being sued for discrimination. While I understand your concern, and that of many others, we simply cannot deny liquor licences based on location and circumstance. We have everyone and their mother selling liquor and to deny based on location would put businesses at a competitive disadvantage AND open us up to discrimination lawsuits. We need to find a better way to control these. I am meeting the the Alcohol and Drug Council to brainstorm ideas on the 19th of this month

Thanks

Doug

From: Tammy J. Grammer
Sent: Tuesday, January 12, 2010 8:13 AM
To: Council Packet
Cc: Adam A. Hornung; Doug Emery; Eugene W. Carroll; Jayne L. Snyder; John Spatz; Jon Camp; Jonathan A. Cook
Subject: Emailing: Z1100111-Sifuentez.pdf

The message is ready to be sent with the following file or link attachments:
Z1100111-Sifuentez.pdf
Dear Council members:

I realize that as I'm writing this you are likely discussing Walgreens liquor license. I oppose Walgreens liquor license at 17th & South due to its proximity to BryanLGH, Lancaster County Mental Health, schools-Sacred Heart, Saratoga, daycares, and a plethora of liquor outlets already in that vicinity – on that corner alone there are 3.

I am also opposed to the Walgreens at 13th & O street having a liquor license due to its close proximity to all the downtown bars.

In brief, I think as a community we should be cognizant when approving/recommending more liquor establishments we should also take into consideration how long waiting lists are for people seeking treatment, which is 6-8 months.

While more liquor outlets may be desirable in newer areas of town where there are few ‘convenience’ stores, gas stations, restaurants, bars, grocery stores, etc. in the older areas of town we do not need more. In fact we need less. Just look at crime reports to see all the problems that arise from abuse of alcohol. I know the alcohol is not the problem, per se, but when it is available at every corner there is a strong societal message sent.

Pat Anderson-Sifuentez
1500 South 11th Street
Lincoln, NE
Dear Council members:

I realize that as I’m writing this you are likely discussing Walgreens liquor license. I oppose Walgreens liquor license at 17th & South due to its proximity to BryanLGH, Lancaster County Mental Health, schools-Sacred Heart, Saratoga, daycares, and a plethora of liquor outlets already in that vicinity – on that corner alone there are 3.

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While more liquor outlets may be desirable in newer areas of town where there are few ‘convenience’ stores, gas stations, restaurants, bars, grocery stores, etc. in the older areas of town we do not need more. In fact we need less. Just look at crime reports to see all the problems that arise from abuse of alcohol. I know the alcohol is not the problem, per se, but when it is available at every corner there is a strong societal message sent.

Pat Anderson-Sifuentes
1500 South 11th Street
Lincoln, NE
I urge each City Council Member to vote AGAINST the Walgreen Liquor Licenses. I have nothing specific against Walgreen's. I feel that each new liquor license gives additional access to alcohol and encourages more use of alcohol. This, in turn, requires more police and law enforcement.

I do not see the wisdom of actions which are not in the public interest. I realize that the City Council does not have the final decision on this issue. At the same time, I urge you to express your concerns, on behalf of all Lincoln citizens, on this important quality of life issue. Thank you.

Lois Poppe

Diet Help
Cheap Diet Help Tips. Click here.
http://thirdpartyoffers.juno.com/TGI2141/c?cp=PjxUHHxn_WBE_Ju_Bbx6rAAAJ1D7q3JF4-CclV-lvH8bOdOoAYAAAAAAAAAAAAAAAAAAADNAABBBBBBBBBBBBBBBBBBYQAAAAA
City Council Members:

It appears likely that the bond issue for a new arena/auditorium will be defeated. But while I predict that a majority of voters will vote "no," I believe most will be doing so for the wrong reasons.

We need a new auditorium to replace Penning, and I'd like to see Penning replaced, possibly as a new downtown library — something that would be a welcome improvement to our city. But I'm going to oppose the bond issue because the Haymarket plan is ill-conceived and overly expensive.

City officials say they've studied alternative locations, but I can't believe they could find no better location than the Haymarket site, which requires moving all those railroad tracks, is in a flood plain, and will cause huge traffic problems for every event.

Why not pick an already empty site away from downtown, such as the vacant land north of the Lancaster Event Center? The costs
of building would be much lower
and vehicular access would be
much better than at the
already congested downtown
site.

I believe most people who
attend major sports events or
concerts want ease of access
above all. They aren't going to be
interested in whether there are
upscale restaurants, art galleries
or gift shops nearby.

It appears too late to change
the plans, so the only alternative
many of us will have is to vote
against the bond issue. Please
understand that for many of us
our "no" vote is not a vote
against a new arena, but just a
way of registering displeasure with
the Haymarket plan.

Sincerely,

Bob Rees

RECEIVED

JAN 12 2009

CITY COUNCIL

OFFICE
Dear City Council:

It is my opinion that we need to adapt the frugal ways of the depression era citizens. "Use it up, wear it out, make do." New spending now is irresponsible because things will get worse before they get better.

Best wishes,
Nancy Russell

RECEIVED
JAN 11 2009
CITY COUNCIL OFFICE

No vote yet on whether to issue bonds

The Lincoln City Council held a public hearing on whether to issue up to $4.75 million in bonds for the city-county Public Building Commission but will not vote until next week. A story on Page B1 in Tuesday's Journal Star was incorrect.

Nancy Russell
3710 F St.
Lincoln, NE 68510

RECEIVED
JAN 11 2009
CITY COUNCIL OFFICE

President
Lincoln City Council
City-County Building
555 S. 10th
Lincoln
Dear Mayor and City Council, Liquor Commission, and Planners,

Thank you for all your work caused by the snow. We read the article about colder North Dakota on Thursday and do wonder how they do it! Will there be, or is there already a place for extra snow to melt at Antelope Creek downtown ravine? This just might be the hundred years’ flood 😃.

Please give it very serious thought before you give Walgreen’s the liquor license. Aren’t they a drug store? Medicine and alcohol don’t usually mix. Perhaps CVS drug stores should not be selling it either. They just moved into Osco, now they will be building to move to a nearby corner just across from Walgreen’s. Is that fair?

If money is tight it seems that we need to consider the social problems that alcohol causes. Usually more government money is needed to add for help in these areas. Let’s just prevent the problems in the first place. Please limit the sale of alcohol in Lincoln.

Do we need a fourth major hotel in downtown Lincoln? So many times we allow similar businesses to duplicate. Then one business loses out and there is another vacant building. Are the current hotels filled to capacity? Can motels take the overflow? Where would people park who now park in the lot where the new hotel is to be? How many park there now? One of the resources sounded like a lot. (Oops, a pun 😃)

If we talk too much about developing a new hotel, what about talk of the new sports arena. It should take center stage. Oh, why not add a stage at the end or side of the sports arena, too while you are at it! Let’s wait a bit for the hotel, maybe.

Thank you for regenerative economics. I suppose that the city bike trails qualify for this. Did I see a smaller Star Tran bus? Thank you for the recycle centers. Thank you for the effort to have bike paths downtown. Thank you for farmers markets. Thank you for orienting buildings toward the sun and rewarding eco-friendly green techniques. Thank you for taking the escalating price of gasoline into consideration as you plan.

The star city parade was very impressive with all the bands and did the paper say that 100,000 came to see it? Bravo. Hope that the schools and families felt welcome.

Lincoln’s boyhood to Presidential life could be honored where there are now fountains. For example, near the museum/University end add imitation log benches for climbing or sitting (fill in with dirt and grass?) There may be more formal benches near the Capitol and Pershing area in memory of his love of sitting and reading (near the library) and law. No pun intended about the benches 😃. Fix the pathways, as he walked much. He gave a proclamation for Thanksgiving and as the Civil War president valued humans, being treated with dignity. Since his Thanksgiving proclamation is short perhaps it could be put into bronze to bear. It includes the Almighty. This could be nearer the Capitol. I hope that Lincoln can be known as a Thanksgiving place that is thankful to God.

Thank yo, you, and yous for the patience to read to the end of this letter 😃!
Questions

1.) How much money has been collected to date from the citizens of Lincoln for wheel tax?

2.) What has that money been used for?

3.) How much money is in the account at this time?

A full accounting of all funds and the disposition of those funds is due the taxpayers so that there is the appearance of transparency as you are always stating Mr. Emery.

* You need to ask the Taxpayers these Questions
InterLinc: City Council Feedback for General Council

Name: Sheryl Schultz
Address: 5211 Calvert Apt 319
City: Lincoln, NE 68506
Phone: 402-475-7149
Fax:
Email: sas8843@gmail.com

Comment or Question:
I'm not against having a few drinks, etc but w/all the bars downtown & the problems w/the bar crowds, I can't believe you approved a liquor license for Walgreen's @ 14th & O!! Will be easy access also for the street people.

Sheryl Schultz
Dear Lincoln City Council,

I have an issue with parking on the street in front of my house and I am not certain whom to address my issue with, so I am starting with you. I live on the block of Nelson St. between 11th St. and Lewis Ave. There are duplexes on the north side of the street on this block. All of the duplexes have two car garages, and they have driveways that are large enough for two or four cars to be parked in them. However, the residents of these duplexes rarely use their garages and driveways for parking. Instead, they prefer to line both sides of the street with parked cars.

This is highly inconvenient in the summer, but it is intolerable when there is snow. There have been several instances this winter where I have been unable to fit my vehicle between two parked cars on the street and had to turn around and come in from the other direction. On one occasion, I was unable to get my car through to my house from either direction and had to park on the street myself. Additionally, my trash is not being regularly picked up on account of the garbage truck being unable to fit down the street in the early morning hours.

My proposed solution is simple. I would like to have parking banned on the south side of Nelson St. between 11th St. and Lewis Ave. This would ensure that vehicle traffic can get down the street at all times. Additionally, it would force the residents of the duplexes to use their garages and driveways as they are meant to be used (for the parking of their vehicles). While the residents of these duplexes may find this inconvenient, it is socially irresponsible for them to be hoarding the street and inconveniencing their neighbors.

Please let me know if there is any way that I can have parking banned on the south side of Nelson St. on this block.

Thank you,

Francisco Salazar