I. CITY CLERK

II. MAYOR
1. NEWS RELEASE. City Attorney is legal advisor to Mayor, Council and Officers.
3. NEWS RELEASE. Mayor Beutler’s public schedule for the week of May 26, 2012 through June 1, 2012.
4. NEWS RELEASE. Register online for Parks and Rec classes and programs.
5. NEWS ADVISORY. Mayor Beutler will hold a news conference May 29th, 1:30 p.m., in Room 303 of the County-City Building to discuss the City’s action in response to the petition drive against the recently adopted Fairness Ordinance.
6. NEWS ADVISORY. The May 29th news conference on the Fairness Ordinance has been postponed to Thursday, May 31st, 10:00 a.m., County-City Building, in Room 303.
7. NEWS ADVISORY. Mayor Beutler will discuss the City’s response to the Fairness Ordinance at a news conference, May 31st, in Room 303 of the County-City Building, at 10:00 a.m.
8. NEWS RELEASE. Mayor calls for Charter Vote on Rights for Gay Citizens.

WEST HAYMARKET JOINT PUBLIC AGENCY
1. The West Haymarket Joint Public Agency will meet on Friday, June 1, 2012, 3:00 p.m., at 555 S. 10th Street, in Council Chambers. Agenda and attachments posted on line.

III. DIRECTORS

COMMISSION ON HUMAN RIGHTS
1. Commission on Human Right meeting agenda for Thursday, May 31, 2012, at 555 S. 10th Street, Council Chambers, at 4:00 p.m.

FINANCE/TREASURER

PLANNING COMMISSION

PLANNING DEPARTMENT
2. Letter in support of Waiver No. 12004, Bill #12R-97. Gratitude Bakery on Fairfax Street and North Cotner Boulevard:
   a) Marian L. Price;
   b) Donna Bolz; and
   c) Amanda Bragg.
PUBLIC WORKS AND UTILITIES/ENGINEERING
1. ADVISORY. Storm sewer Project No. 705321. Northwest 4th and West Burt vicinity.

URBAN DEVELOPMENT
1. Board of Equalization scheduled for June 4th canceled after discussing the South Street Maintenance Business Improvement District Special Assessment with the City Law Department.

IV. COUNCIL MEMBERS

JON CAMP
1. Nicholas B. Jasa. As a Stone Ridge resident oppose the Wal-Mart proposal for the corner of 27th and Grainger.
4. Kate Olson. Family upset at proposed Wal-Mart at entrance to Stone Ridge Estates neighborhood.
5. John Reilly. Not in neighborhoods best interest for a Wal-Mart at this location.
7. Travis J. Ehlers. Vehemently again the Wal-Mart proposed building backing up to Grainger Street.
10. Kirk Laughlin. Upset people should have know being zoned for Big Box type development. All right with Wal-Mart being built.
11. Steve Pirtle. Please stop the building of a Wal-Mart in our neighborhood. More appropriate properties to build on.
12. Julie Fosler. As resident of Stone Ridge Estates urging Councilman Camp to do all he can to stop the Wal-Mart from being built.
14. Heidi Shaddick. Moved into home one week ago. Truly disappointed in developments of a Wal-Mart being built in the lot which backs up to ours.
15. Mary Gansemer. Stone Ridge Estate resident and extremely opposed to building a Wal-Mart.
18. Cory and Diane Podany. Listing reasons why they are against a Wal-Mart store at 27th and Grainger.

CARL ESKRIDGE
1. Letter from Nan Graf in favor of the Fairness Ordinance.

V. MISCELLANEOUS

VI. CORRESPONDENCE FROM CITIZENS
1. Rev. Jeffrey Scheich. Mr. Confer in the wrong by not telling what the petitioners are doing wrong.
3. Jeni Zimmerman. Feel that 27th and Grainger is not the right place for a Wal-Mart and will fight it being built.
4. Delia Garcia. Example of type of frustrations expressed by homeowners over the decision to build a Wal-Mart at 27th and Grainger.
5. Chris Lief. Very disappointed by Ms. Svoboda at the City Council meeting.
6. Mary Reeves. Opposed to the change of zone proposed, #12010. Not a good policy to allow Walgreens to sell liquor near a school.
7. Correspondence from Shawn Koehler, Bayer CropScience, listing reasons why he’s displeased on having his parking ticket increase 250% because of the 7 day turnaround.
8. Bruce E. Gfeller. The citizens of Lincoln have the right to put ordinances passed by city government to a vote of the people. Writing as a private citizen.
9. Rick Becker. Support for continued development of bike lanes in the downtown area and trails.
10. Tim Yrastorza’s InterLinc correspondence. Extremely unhappy with recently passed ordinance for sexual orientation. Let the people of Lincoln decide this issue.
11. Bob Reeves. Do not approve Change of Zone No. 12010. Would open up the floodgates. Not necessary every drug store be allowed to sell alcohol.
13. InterLinc correspondence from Joseph Gourlay. In favor of the protected bike lanes, important to expand in the downtown area.
14. Vonn Roberts. Endorse the concept of the bike lane on N Street. Encourage it to go forward.

VII. ADJOURNMENT
FOR IMMEDIATE RELEASE: May 24, 2012
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 402-441-7831

CITY ATTORNEY IS LEGAL ADVISOR
TO MAYOR, COUNCIL AND OFFICERS

Mayor Chris Beutler said today that State and local laws enacted by the people and their elected representatives make it clear that City Attorney Rod Confer has a duty to give legal advice only to those representing the City. The Mayor responded to questions on the role of the City Attorney regarding the Fairness Ordinance passed by the City Council May 14. It protects gay, lesbian, bisexual and transgendered individuals from discrimination in the workplace, in housing and in public accommodations.

“The City Attorney is bound by both State and City law to defend any measure passed by the City Council and signed by the Mayor,” Beutler said. “He cannot ethically represent both sides of an issue. In the case of the petitions being circulated to repeal the Fairness Ordinance, it would be contrary to the duties imposed on the City Attorney by State and City laws for him to advise any party on the language of a petition that seeks to keep a duly passed and signed ordinance from taking effect.”

Mayor Beutler cited Nebraska State Statute (Sec. 15-322), the Lincoln City Charter (Art. IV, Sec. 15) and the Lincoln Municipal Code (Sec. 2.24.010), which state that the City Attorney shall be the “legal advisor of the mayor, the city council and City officers” and that he shall “commence, prosecute and defend actions on behalf of the city.”

In addition, Mayor Beutler said, “When fundamental minority rights are threatened by discrimination it is the duty of elected leaders to intervene and protect those fundamental rights, just as we have in previous eras for African Americans, women and the disabled. That’s why the City Council passed and I signed the Fairness Ordinance to protect the civil rights of certain citizens in employment, housing and public accommodations.”

The Mayor signed the ordinance May 14, and it is scheduled to go into effect May 30. In a letter Wednesday, Confer wrote that there is a problem with the language on a petition being circulated to prevent the City’s new Fairness Ordinance from taking effect.
FOR IMMEDIATE RELEASE: May 24, 2012
FOR MORE INFORMATION: Julie Righter, Communications Coordinator, 402-441-7252

“TAKE 25” FOR NATIONAL MISSING CHILDREN’S DAY
To observe National Missing Children’s Day, City Public Safety officials urge residents to “Take 25” tomorrow, May 25. The campaign, created by the National Center for Missing and Exploited Children, encourages parents, guardians, educators and others to take 25 minutes to talk to children about safety.

Julie Righter, 911 Center Communications Coordinator, said each year, more than 100 children are taken by non-family members with the intent to either kill, hold for ransom or keep indefinitely.

“The day is a reminder that child safety should be a national priority,” Righter said. “It is critically important to teach your children how to call 9-1-1 and what to say to the dispatcher such as their address, full name phone number and the exact problem.”

Take 25 focuses on prevention by providing communities with free safety resources including safety tips, conversation starters and engaging activities. More information on National Missing Children’s Day and the Take 25 campaign is available at www.take25.org.
Date: May 25, 2012
Contact: Diane Gonzolas, Citizen Information Center, 402-441-7831

Mayor Beutler’s Public Schedule
Week of May 26 through June 1

Schedule subject to change

Monday, May 28 - City offices closed for Memorial Day holiday

Tuesday, May 29
• Corrections Joint Public Agency (JPA) - 9 a.m., City Council Chambers, County-City Building, 555 S. 10th St.
• Groundbreaking for Lincoln Public Schools administration building, remarks - 11 a.m., 5901 “O” St.

Wednesday, May 30
• KLIN - 8:10 a.m., 4343 “O” St.
• Marilyn Moore retirement celebration - 4 to 6 p.m., program at 5 p.m., Country Club of Lincoln, 3200 S. 24th

Friday, June 1
• West Haymarket JPA - 3 p.m., City Council Chambers
REGISTER ONLINE FOR PARKS AND REC CLASSES AND PROGRAMS

Residents can now register and pay online for classes and programs offered by the Lincoln Parks and Recreation Department. The new service at parks.lincoln.ne.gov was announced just as the new summer program guides are being mailed. Those who do not receive the guide through the mail or in their newspaper can find it online and at all Parks and Recreation facilities beginning Tuesday May 29.

“We are proud to offer a wide variety of programs and activities for all ages,” said Parks and Recreation Director Lynn Johnson. “We encourage residents to use the new online registration system that allows them to review program offerings and to register from the comfort and convenience of their home computer. We also hope residents will take advantage of the many opportunities Parks and Recreation offer to be active and have fun.”

Johnson thanked the City’s Information Services Division for its work on the online registration system, the latest e-pay service offered at lincoln.ne.gov.

In addition to the program guide and the online registration, the Parks and Recreation website also includes information on summer day camps and on public swimming pools which open Saturday. All neighborhood pools are open from 1 to 6 p.m. daily. Highlands and University Place pools are open from 1 to 8 p.m. Monday through Friday and 1 to 6 p.m. Saturdays and Sundays. Star City Shores is open every day from 12:30 to 8 p.m. Season passes are still available for all locations, and several pools will again offer $5 family swim nights during the week. All locations will remain open until August 12.

- 30 -
DATE: May 29, 2012
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 402-441-7831

Mayor Chris Beutler will discuss the City’s action in response to the petition drive against the recently adopted Fairness Ordinance at a news conference at 1:30 p.m. TODAY, Tuesday, May 29 in Room 303, third floor of the County-City Building, 555 S. 10th St.
OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 402-441-7511

DATE: May 29, 2012
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 402-441-7831

Today’s news conference on the Fairness Ordinance has been postponed to 10 a.m. Thursday, May 31 in Room 303, third floor of the County-City Building, 555 S. 10th St.
DATE: May 30, 2012
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 402-441-7831

Mayor Chris Beutler will discuss the City’s action in response to the petition drive against the recently adopted Fairness Ordinance at a news conference at 10 a.m. Thursday, May 31 in Room 303, third floor of the County-City Building, 555 S. 10th St.
MAYOR CALLS FOR CHARTER VOTE ON RIGHTS FOR GAY CITIZENS

Mayor Chris Beutler said today he would ask the City Council to schedule a City Charter election on the housing and employment rights of gay citizens. The Fairness Ordinance passed by the City Council and signed by the Mayor May 14 protects gay, lesbian, bisexual and transgender individuals from discrimination in the workplace, in housing and in public accommodations. A petition drive to put the resolution to a vote prevented the ordinance from taking effect May 30. In order to have a City Charter vote, the Council would have to repeal the Fairness Ordinance.

The Mayor said the action is necessary because the petition was improperly drafted. He said recent court rulings state that petitions for a ballot issue shall have only one subject or proposition for each vote. Beutler said a successful legal challenge to the petition drive would deny petitioners their right to referendum, but allowing a flawed ballot issue to proceed would create an unfair election. Because the City Council does not have the power to place an ordinance on the ballot, he said a Charter election is the most fair resolution.

“This administration does not fear a vote of the people,” Beutler said. “We called for a vote on the arena when we were not required to do so. We happily included a vote of the people requirement in the recent legislative bill allowing an additional local option sales tax. Furthermore, we do not believe that the fair-minded citizens of this city will deny rights to our gay citizens that they now enjoy in 160 other cities.

“Our only misgivings about the election relate to the potential for divisiveness and a certain sadness that basic American freedoms are still so contentious when applied to a long suffering group of citizens,” he said.

The Mayor said no law-abiding citizen should live in fear of losing a job or housing because of who they are, and those opposed to ordinance are choosing discrimination and division over fairness and unity.
“Right now, the City protects the civil rights of people based on disability, familial status, ancestry, age and marital status,” the Mayor said. “Those categories were adopted by the City Council without a vote of the people. Yet the petitioners did not and are not calling for a public vote on the rights of these groups. They have focused solely on one vulnerable group, undermining their claim that discrimination protection should not be enacted without an election.

“The claim that religious freedom is the issue doesn’t withstand scrutiny either,” he said. “We specifically adopted language granting a religious exemption that was suggested by attorneys for one of the churches. Make no mistake about it, the petitioners are not fighting for the right to vote, they are fighting for the right to discriminate.”
HOUSEHOLD HAZARDOUS WASTE COLLECTION SET FOR JUNE 8

The public is encouraged to bring its household hazardous waste to the final spring collection event from 9 a.m. to 1 p.m. Friday, June 8 in the Union College parking lot at 52nd Street and Cooper Avenue.

The next collection won’t be held until August 25, so residents of Lincoln and Lancaster County are encouraged to safely dispose of these unwanted items now:

- CFL (compact fluorescent light) bulbs and tubes
- pesticides
- paint thinners
- stains
- polishes and waxes
- turpentine
- pool cleaning chemicals
- flea and tick powders
- rodent poison
- charcoal starter fluids
- mixed or old gasoline
- oil-based paint
- items containing mercury, including thermometers, upholstery cleaners, grease removers and brake and power steering fluids

Residents are reminded to take the steps necessary to safely transport products to the collection event. Products should be in their original containers, protected from potential spills during transport, and placed away from the passenger area of the vehicle.

Items that can be recycled or safely disposed of and will not be accepted include latex paint, motor oil, gas grill cylinders, pharmaceutical waste, electronics and batteries.

About 29,000 pounds of hazardous material has been safely recycled or properly disposed of at this year’s first three collections. For more information, visit the City website at lincoln.ne.gov (keyword: recycling) or call 402-441-8021.
The West Haymarket Joint Public Agency will meet on Friday, June 1, 2012 at 3:00 P.M. in the City Council Chambers Room 112.

The agenda and attachments are on InterLinc at [http://lincoln.ne.gov/city/finance/account/jpa-mtgs.htm](http://lincoln.ne.gov/city/finance/account/jpa-mtgs.htm)
CITY OF LINCOLN
COMMISSION ON HUMAN RIGHTS
Thursday, May 31, 2012, 4:00 p.m.
City Council Chambers, 555 South 10th Street

AGENDA

I. Roll Call
II. Approval of Minutes for April 12, 2012 Commission Meeting
III. Approval of Agenda for May 31, 2012 Commission Meeting
IV. Case Dispositions
   A. Reasonable Cause/ No Reasonable Cause
      1. LCHR No.: 11-1014-036-E
      2. LCHR No.: 11-1019-037-E-R
      3. LCHR No.: 11-1115-039-E-R
      4. LCHR No.: 12-0221-004-H
      5. LCHR No.: 12-0221-005-H
      6. LCHR No.: 12-022-E-R
   B. Pre-Determination Settlement Agreements
      1. LCHR No.: 11-1007-016-H (To be handed out)
      2. LCHR No.: 11-1228-42-E-R (To be handed out)
   C. Authorization for Civil Action
      1. LCHR No.: 11-1109-019-H

VI. Old Business
   2012 Conference

VII. New Business
   Fairness Ordinance
   New American Leadership Academy

VIII. Public Comment**

IX. Adjournment

**Public comments are limited to 5 minutes per person. Members of the public may address any item of interest to the LCHR during this open session with the exception of LCHR cases. Also, no member of the public who wishes to address the Commission will be allowed to examine any individual Commissioner or staff member on any item/question before the Commission unless invited to do so by the Chairperson.
OFFICE OF TREASURER, CITY OF LINCOLN, NEBRASKA

MAY 30, 2012

TO: MAYOR CHRIS BEUTLER & CITY COUNCIL MEMBERS
FROM: FINANCE DEPARTMENT / CITY TREASURER

SUBJECT: MONTHLY CITY CASH REPORT

The records of this office show me to be charged with City cash as follows at the close of business April 30, 2012:

<table>
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<tr>
<th>Description</th>
<th>Amount</th>
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<td>Balance Forward</td>
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<tr>
<td>Plus Total Debits April 1-30, 2012</td>
<td>$59,939,560.75</td>
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<td>Less Total Credits April 1-30, 2012</td>
<td>($37,837,206.89)</td>
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<tr>
<td><strong>Cash Balance on April 30, 2012</strong></td>
<td><strong>$228,495,243.98</strong></td>
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I desire to report that such City cash was held by me as follows which I will deem satisfactory unless advised and further directed in the matter by you:

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<th>Institution</th>
<th>Amount</th>
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<td>Wells Fargo Bank</td>
<td>($110,873.30)</td>
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<td>Wells Fargo Bank Credit Card Account</td>
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<td>Cornhusker Bank</td>
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<td>Heartland Community Bank - Bennet</td>
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<td>Pinnacle Bank</td>
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<td>West Gate Bank</td>
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<td>Idle Funds - Medium-Term Pool</td>
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<td>Cash, Checks and Warrants</td>
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<tr>
<td><strong>Total Cash on Hand April 30, 2012</strong></td>
<td><strong>$228,495,243.98</strong></td>
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The negative bank balances shown above do not represent the City as overdrawn in these bank accounts. In order to maximize interest earned on all City funds, deposits have been invested prior to the Departments' notification to the City Treasurer's office of these deposits; therefore, these deposits are not recorded in the City Treasurer's bank account balances at month end.

I also hold as City Treasurer, securities in the amount of $238,741,311.79 representing authorized investments of the City's funds.

ATTEST:

Teresa J. Meier, Deputy City Treasurer

Melinda J. Jones, City Treasurer
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<th>CUSIP</th>
<th>MATURITY DATE</th>
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<th>CURRENT PAR</th>
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<td>CORNHUSKER BANK</td>
<td>TOTAL PLEDGED</td>
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**ACTION BY PLANNING COMMISSION**

May 30, 2012

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, May 30, 2012, at 1:00 p.m., in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska, on the following items. For more information, call the Planning Department, (402) 441-7491.

The Lincoln/Lancaster County Planning Commission will meet on Wednesday, May 30, 2012, from 11:30 a.m. - 12:00 noon in Conference Room 113 of the County-City Building, 555 S. 10th St., Lincoln, Nebraska, for a briefing on Antelope Creek Watershed Basin Management Plan by Public Works - Watershed Management.

The Lincoln/Lancaster County Planning Commission will meet on Wednesday, May 30, 2012, from 12:00 noon - 12:45 p.m. in Conference Room 113 of the County-City Building, 555 S. 10th St., Lincoln, Nebraska, for a workshop on Conflicts of Interest with Frank Daley, Jr., Executive Director of the Nebraska Accountability & Disclosure Commission.

**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 or County Board by filing a Notice of Appeal with the City Clerk or County 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, MAY 30, 2012

[Commissioner Weber absent]

Approval of minutes of special public hearing on the Capital Improvements Program and Transportation Improvement Program held May 9, 2012. **APPROVED, 8-0 (Weber absent)**

Approval of minutes of the regular meeting held May 16, 2012. **APPROVED, 7-0 (Lust abstained; Weber absent)**
1. CONSENT AGENDA:
(Public Hearing and Administrative Action)

CHANGE OF ZONE:

1.1 Change of Zone No. 12012, from R-4 Residential District to I-1 Industrial District; and from I-1 Industrial District and R-4 Residential District to P Public Use District, on property generally located at SW 1st Street and West J Street.
Staff recommendation: Approval
Staff Planner: Christy Eichorn, 402-441-7603, ceichorn@lincoln.ne.gov
Planning Commission recommendation: APPROVAL, 8-0 (Weber absent).
Public Hearing before City Council tentatively scheduled for Monday, June 18, 2012, 3:00 p.m.

1.2 Change of Zone No. 12014, from B-5 Planned Regional Business District to H-4 General Commercial District, on property generally located at S. 84th Street and Amber Hill Road.
Staff recommendation: Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Planning Commission recommendation: APPROVAL, 8-0 (Weber absent).
Public Hearing before City Council tentatively scheduled for Monday, June 18, 2012, 3:00 p.m.

CHANGE OF ZONE WITH RELATED ITEMS:

1.3a Change of Zone No. 12013, from H-2 Highway Business District to R-2 Residential District, on property generally located at N. 52nd Street and O Street.
Staff recommendation: Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov
Applicant’s request for two-week deferral granted, with CONTINUED PUBLIC HEARING AND ACTION scheduled for Wednesday, June 13, 2012, 1:00 p.m.

1.3b Special Permit No. 435F, to expand the boundaries of the special permit for construction of additional units and a waiver to increase the height, on property generally located at N. 52nd Street and O Street.
*** FINAL ACTION ***
Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov
Applicant’s request for two-week deferral granted, with CONTINUED PUBLIC HEARING AND ACTION scheduled for Wednesday, June 13, 2012, 1:00 p.m.
PERMITS:

1.4 Special Permit No. 12021, for expansion of a nonconforming use into the
side yard setback, on property generally located at S. 13th Street and
Saratoga Avenue (2300 S. 13th Street). *** FINAL ACTION ***

Staff recommendation: Conditional Approval
Staff Planner: Rashi Jain, 402-441-6372, rjain@lincoln.ne.gov
Planning Commission ‘final action’: CONDITIONAL APPROVAL, as set
forth in the staff report dated May 16, 2012, 8-0 (Weber absent).
Resolution No. PC-01288.

2. REQUESTS FOR DEFERRAL: (See Items 1.3a and 1.3b above)

3. ITEMS REMOVED FROM CONSENT AGENDA: (See Items 1.3a and 1.3b above)

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:

COMPREHENSIVE PLAN:

4.1 Comprehensive Plan Amendment No. 12001, to amend the 2040 Lincoln-
Lancaster County Comprehensive Plan related to the proposed update to the
2005 Downtown Master Plan subarea plan, and to approve the Lincoln
Downtown Master Plan Update as a subarea plan of the Comprehensive
Plan. The area under consideration for this update to the Downtown Master
Plan is generally located from approximately 6th Street on the west to
approximately 19th Street on the east, and from approximately H Street on
the south to approximately R Street on the north, and includes the
“Haymarket District.” The 2005 Downtown Master Plan and the Update also
provide land use and development guidance for a portion of the area
immediately to the east of Downtown known as “Antelope Valley.” The
Downtown Master Plan Update is to include changes that have occurred
since the adoption of the Downtown Master Plan in 2005, and to explain
specific concepts and projects that are new to the Plan.

Staff recommendation: Approval
Staff Planner: David Cary, 402-441-6364, dcary@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: APPROVAL, 8-0 (Weber
absent).
Public Hearing before City Council tentatively scheduled for Monday,
June 18, 2012, 3:00 p.m.
4.2a Change of Zone No. 12008, amending Title 27 of the Lincoln Municipal Code ("Zoning Code") to reformat and streamline the Zoning Code to reduce the list of over 270 different land uses down to 14 Use Groups, eliminating the possibility that a use type is not listed by making the use groups all-encompassing, thereby increasing the emphasis on treating like uses in a similar manner; by adding a new Chapter 27.02 to provide definitions and repealing Chapter 27.03 as hitherto existing; by adding a new Chapter 27.06 titled “Use Groups” to classify and combine the main use of a building and/or premises into 14 Use Groups based upon functional and physical use type characteristics, to designate specific use types within each Use Group as permitted, permitted conditional, and permitted special uses within each zoning district; by adding a new Chapter 27.62 titled “Conditional Uses”; by adding a new Chapter 27.64 titled “Use Permits”; by adding a new Section 27.70.060 to regulate temporary buildings and temporary fences; by adding a new Chapter 27.72 titled “Height and Lot Requirements”, and repealing Chapter 27.71 in its entirety; and by making other multiple amendments to Chapters 27.05 (Districts and Boundaries), 27.07 (AG District), 27.09 (AGR District), 27.11 (R-1 District), 27.13 (R-2 District), 27.15 (R-3 District), 27.17 (R-4 District), 27.19 (R-5 District), 27.21 (R-6 District), 27.23 (R-7 District), 27.24 (R-8 District), 27.25 (O-1 District), 27.26 (O-2 District), 27.27 (O-3 District), 27.28 (R-T District), 27.29 (B-1 District), 27.31 (B-2 District), 27.33 (B-3 District), 27.35 (B-4 District), 27.37 (B-5 District), 27.39 (H-1 District), 27.41 (H-2 District), 27.43 (H-3 District), 27.45 (H-4 District), 27.47 (I-1 District), 27.49 (I-2 District), 27.51 (I-3 District), 27.63 (Special Permits), 27.64 (Use Permits), 27.67 (Parking), and 27.69 (Signs), to implement the Use Groups; and repealing the amended sections within the above-referenced chapters of the Lincoln Municipal Code as hitherto existing.

Staff recommendation: Approval
Staff Planner: Christy Eichorn, 402-441-7603, ceichorn@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: APPROVAL, 8-0 (Weber absent).
Public Hearing before City Council tentatively scheduled for Monday, June 18, 2012, 3:00 p.m.
4.2b Miscellaneous No. 12002, amending the City of Lincoln Design Standards by amending Sections 7.7 and 7.11 of Chapter 3.50, Design Standards for Screening and Landscaping, to modify the requirements in Section 7.7 regarding the screening of outdoor storage areas of salvage yards and to delete reference to the screening of scrap processing operations and vehicle body repair shops; and to expand the list of areas in Section 7.11 outside a building which must be screened.

Staff recommendation: Approval
Staff Planner: Christy Eichorn, 402-441-7603, ceichorn@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: APPROVAL, 8-0 (Weber absent).
Public Hearing before City Council tentatively scheduled for Monday, June 18, 2012, 3:00 p.m.

4.3a Change of Zone No. 12009, amending Title 27 of the Lincoln Municipal Code relating to the Zoning Code by amending Sections 27.60.060 and 27.65.060 to grant the Planning Director authority to approve amendments to a planned unit development or community unit plan to allow a height increase not to exceed ten feet over the maximum height limit for a multi-family dwelling; by further amending Section 27.65.060 to grant the Planning Director authority to approve amendments to a community unit plan to allow a percentage of stacked parking stalls on a driveway behind a garage attached to a multi-family dwelling to be used toward satisfaction of required parking; by amending Section 27.65.090 to delete the requirement that the use of such stacked parking stalls in satisfaction of required parking be approved by the Planning Commission; and repealing Sections 27.60.060, 27.65.060 and 27.65.090 of the Lincoln Municipal Code as hitherto existing.

Staff recommendation: Approval
Staff Planner: Stephen Henrichsen, 402-441-6374, shenrichsen@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: APPROVAL, 8-0 (Weber absent).
Public Hearing before City Council tentatively scheduled for Monday, June 18, 2012, 3:00 p.m.
4.3b Miscellaneous No. 12003, amending the City of Lincoln Design Standards, by amending Section 1.2 of Chapter 3.35, Design Standards for Community Unit Plans, to provide a minimum setback for multi-family dwellings that exceed the zoning district height abutting a single- or two-family dwelling, and to conditionally allow accessory garages and driveways within the setback area; and by amending Section 7.3 of Chapter 3.50, Design Standards for Screening and Landscaping, to provide minimum screening for multi-family dwellings and certain accessory garages and driveways when the multi-family dwelling exceeds the zoning district height and abuts an existing or planned single- or two-family dwelling.

Staff recommendation: Approval
Staff Planner: Stephen Henrichsen, 402-441-6374, shenrichsen@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: APPROVAL, 8-0 (Weber absent).
Public Hearing before City Council tentatively scheduled for Monday, June 18, 2012, 3:00 p.m.

PERMITS:

4.4 Special Permit No. 12019, to preserve a landmark by permitting the utilization of the property for office and educational uses with waiver of rear yard setback and parking requirements on property located at 700 North 16th Street.

Staff recommendation: Conditional Approval
Staff Planner: Stacey Groshong Hageman, 402-441-6361, slhageman@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the staff report dated May 22, 2012, as amended by the City Law Department, 5-3 (Butcher, Gaylor Baird, Sunderman, Hove and Esseks voting ‘yes’; Francis, Lust and Cornelius voting ‘no’; Weber absent).
Public Hearing before City Council tentatively scheduled for Monday, June 18, 2012, 3:00 p.m.
5. CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION:

(See May 16, 2012 agenda for staff reports on the following items.)

ANNEXATION WITH RELATED ITEMS:

5.1a Annexation No. 12003, to annex approximately 41 acres, more or less, on property generally located at S. 56th Street and Pine Lake Road.

Staff recommendation: Approval, subject to a revised Annexation Agreement
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

Had continued public hearing.
Planning Commission recommendation: APPROVAL, subject to a revised Annexation Agreement, 6-0 (Sunderman, Esseks and Weber absent).
Public Hearing before City Council will be scheduled when the revised Annexation Agreement is completed and scheduled.

5.1b Change of Zone No. 04075C, an amendment to the Village Gardens Planned Unit Development, for expansion of the area of the PUD by approximately 41 acres, on property generally located at S. 56th Street and Pine Lake Road, for a Planned Unit Development District designation, and approval of a development plan which proposes certain modifications to the Zoning and Land Subdivision Ordinances to allow an additional approximately 220 dwelling units in the underlying R-3-zoned area.

Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

Had continued public hearing.
Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the staff report dated May 1, 2012, with amendment to Condition #2.3, 6-0 (Sunderman, Esseks and Weber absent).
Public Hearing before City Council will be scheduled when the associated Annexation No. 12003 and the revised Annexation Agreement are scheduled.

* * * * * * * * * *

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

* * * * * * * * * *
PENDING LIST:

1. County Special Permit No. 12015 and City Special Permit No. 12016, for a recreational facility, on property in split jurisdiction generally located at SW 29th Street and W. Wittstruck Road. *** FINAL ACTION ***
(3-16-12: Planning Commission voted 8-0 to continue public hearing on June 13, 2012 at the request of the applicant.)

Planning Dept. staff contacts:

Stephen Henrichsen, Development Review Manager . 402-441-6374 . shenrichsen@lincoln.ne.gov
Nicole Fleck-Tooze, Long Range Planning Manager . 402-441-6363 . ntooze@lincoln.ne.gov
Michael Brienzo, Transportation Planner . 402-441-6369 . mbrienzo@lincoln.ne.gov
Tom Cajka, Planner . 402-441-5662 . tcajka@lincoln.ne.gov
David Cary, Planner . 402-441-6364 . dcary@lincoln.ne.gov
Christy Eichorn, Planner . 402-441-7603 . ceichorn@lincoln.ne.gov
Brandon Garrett, Planner . 402-441-6373 . bgarrett@lincoln.ne.gov
Stacey Groshong Hageman, Planner . 402-441-6361 . shageman@lincoln.ne.gov
Sara Hartzell, Planner . 402-441-6371 . shartzell@lincoln.ne.gov
Rashi Jain, Planner . 402-441-6372 . rjain@lincoln.ne.gov
Brian Will, Planner . 402-441-6362 . bwill@lincoln.ne.gov
Ed Zimmer, Historic Preservation Planner . 402-441-6360 . ezimmer@lincoln.ne.gov

* * * * *

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.

* * * * *

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 : May 31, 2012


Please be advised that on May 30, 2012, the Lincoln City-Lancaster County Planning Commission adopted the following resolutions:

Resolution No. PC-01288, approving Special Permit No. 12021, with conditions, requested by Robert L. Tiemann, to expand a nonconforming use to allow a business in a residential district to expand the rear of the building by adding 80 square feet, on property generally located at South 13th Street and Saratoga Avenue (2300 South 13th Street).

This is final action unless appealed to the City Council by filing a notice of appeal with the City Clerk within 14 days of the action by the Planning Commission.

The Planning Commission Resolution may be accessed on the internet at www.lincoln.ne.gov (Keyword = PATS). Use the “Search Selection” screen and search by application number (i.e. SP12021). The Resolution and Planning Department staff report are in the “Related Documents” under the application number.
Memorandum

Date:  ♦  May 29, 2012

To:  ♦  City Clerk

From:  ♦  Teresa McKinstry, Planning Dept.

Re:  ♦  Administrative Approvals

cc:  ♦  Jean Preister

This is a list of the Administrative Approvals that were approved by the Planning Director from May 22, 2012 thru May 28, 2012

**Administrative Amendment No. 12027** to Special Permit No. 2022C, Pine Lake Heights South 4th Addition, approved by the Planning Director on May 25, 2012, requested by Jim Hutchinson, to increase the square footage on Lot 6, Block 2, from 3,500 square feet to 4,300 square feet, on property generally located at S. 27th Street and Grainger Parkway.
Lincoln, Nebraska  
May 30, 2012

Tom Cajka, Planner I  
Planning Department  
City of Lincoln/Lancaster County  
555 South 10th Street  
Lincoln, Nebraska 68508

RE: Gratitude Bakery on Fairfax Street and North Cotner Blvd.

The Lincoln City Council will be discussing this business location in your upcoming meeting on June 4th. I am writing in support of approval of this business in the downtown Bethany area. I understand there has been concern expressed about the availability of parking space to accommodate a restaurant in this new business. I am very familiar with this area, having lived in Bethany for forty years. There is available parking, without infringing on other businesses, located in this area. There is parking available on both sides of Fairfax Street west of Gratitude that could be used, including the parking lot of the Bethany Christian Church, and Fairfax Street, east in front of the Cotner Center. I can see customers dropping off their family or friends in front of Gratitude and driving to a nearby parking spot, returning to join them in a meal.

We need this business in the Bethany area as we have suffered from the slump in the economy, as other areas of the city have. I have observed new businesses, filling the empty store fronts, which has brought new life to our treasured area of northeast Lincoln.

I urge the approval of the Gratitude business in Bethany on Fairfax Street and North Cotner Blvd.

Sincerely,

Marian L. Price

Copies to:
Adam Hornung, City Council Chair  
Doug Emery, My Council Representative  
Other members of the City Council
Hello--I support Gratitude Cafe & Bakery. It will be so nice to have a Cafe and Bakery in the area. I also like that they have restored an older building for their business. I'm in support of their parking permit being approved. I have lived in the Bethany area for over 30 years. I think this will be a great addition to the community. I hope they are able to open soon. Thank you. Donna Bolz
Hello Tom & Doug ~

One of my good friends, Katie Cloran, is trying to start up her business in the Bethany area - Gratitude Cafe & Bakery. I understand that there is a hearing on Monday 6/4. Unfortunately, I am unable to attend, but I did want to voice my support for their parking permit to be approved.

I know this bakery isn’t in my area, but it is in my city and I think more of these small businesses should be able to get started with as much help from the city as possible. Katie is working hard to restore a historical building and make it into a nice cafe in an area that is kind of lacking in something like this.

Thank you for your time and I'm looking forward to see how the hearing goes!

--
Amanda Bragg
Owner and Operator
PJ's Baby Cakes
402-617-2493
www.pjsbabycakes.com
Become our fan on Facebook or follow us on Twitter (twitter.com/pjsbabycakes)
Northwest 4th and West Burt Vicinity
Storm Sewer Project No. 705321

During the week of June 4, 2012, the City of Lincoln Public Works and Utilities Department will begin construction of a storm sewer project in Northwest 4th/West Harvest Drive approximately 400’ south of West Burt Drive. It will proceed north to West Burt then west in West Burt to Northwest 5th Street.

Contractor and Schedule:

The contractor for this project is Pavers Inc. They plan to begin construction on June 5, 2012 and take approximately 30 days to complete (weather permitting and barring any unforeseen conditions).

Construction Information:

This project consists of removing the existing storm sewer within the limits of this project and replacing it with larger diameter pipes to help with the drainage in the area. As is common in infrastructure projects such as this, occasionally water mains or water services may need to be reconstructed which could mean some minimal disruption to your service. If temporary water shut downs are necessary, you will be notified in advance by the Lincoln Water System.

Temporary Inconvenience:

This construction, for the most part, will take place in the center of the street. Access to street parking will be removed. The Contractor will try to maintain access to driveways, but at times may have to close that access. If you need special access arrangements, please contact the contractor at the number provided below. If your driveway, sidewalk or yard is disrupted by this project, it will be restored at no cost to you.

Contacts for this project:

Pavers Inc.  Mike Tidball  402-875-1469
City of Lincoln  Brian Dittmann  402-525-5646
Memo

To: Lincoln City Council
From: Dave Landis, Director
Date: May 30, 2012
Subject: Board of Equalization

After discussing the South Street Maintenance Business Improvement District Special Assessment with the City Law Department, we have decided to cancel the June 4, Board of Equalization (BOE) meeting. A new assessment is being prepared and will be presented to the BOE at a later date. If you have any questions, please call me at 402-441-7126.
Mr. Camp,

I’m sure you have been receiving messages and emails all day in opposition to the Wal-Mart being built on the corner of 27th and Grainger. The purpose of this email is the same. I live in the Stone ridge neighborhood, and although my home doesn’t back up, or even in view of the proposed Wal-Mart, I feel this location is an inappropriate place for such a building.

The lot is nowhere near large enough for a grocery store, let alone a Wal-Mart. I’m also concerned with how traffic will flow in and out of the parking lot. From what I can tell, there are only two options….1). 27th street and/or 25th and Granger. The latter is often frequented by joggers, bikers, children and families walking. With the large volume of traffic these stores generate, I foresee a very dangerous situation. Obviously the increase in traffic, being open 24 hrs a day and the parking lot lights will add to the noise and light pollution in the area.

I’m all for business and convenience. I simply feel building a store of this size in the middle of a primarily residential area seems ridiculous. Was there a public hearing regarding this decision?

Best Regards,

Nicholas B. Jasa
Regional Sales Manager - Southeast Region
Assurity Life Insurance
2000 Q Street
Lincoln, NE 68508
Office: 402-437-3423
Cell: 402-540-2053
Fax: 402-437-3404
njasa@assurity.com

Assurity Life is committed to protecting everyone’s non-public personal information. Non-public personal information includes (but is not limited to):

- Social Security numbers, other tax identification numbers, passwords, health information and financial information (such as account numbers and bank card numbers)

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Jon,

As a concerned neighbor and registered voter, I would like to voice my concern about hearing that a Wal-Mart is going to be going in near my subdivision (27th/Grainger). As far as I know there were no neighborhood announcement or public hearings regarding this decision. This is very disappointing. I am all about business and progress, but why in the world would you consider having a Wal-Mart go in to a residential area? On 3 different sides of the proposed location of this Wal-Mart are Residential areas. This is going to do nothing but bring property values down which in turn would bring taxable values down. How is this going to help our Housing market in that area? If it does bring down property values, the City Council is doing nothing but helping current home owners to become upside down in their mortgages due to lower property value. I know if I found my dream home and money was not a factor I would NOT buy it if it were across the street from a Wal-Mart. There are many other locations along Yankee Hill Road that are not right next to a Residential area that a Wal-Mart could go. Wal-Marts do have a tendency to bring in a lot of…Trashy people, and frankly I don’t want them on my front door step. I would like to know how that area, going into a residential area, is going to support the amount of traffic that will be going in and out of it. This brings me to my next concern…Noise. A 24 hour Big Box Store in a residential area is going to create a lot of noise in and around the neighborhood. Are their actions going to be taken place to help reduce this noise level? Are their actions going to be taken by the city to help the appearance of the neighborhood as well as some sort of separation from the properties?

One of the biggest questions I really have is why is this store not going into the place it was originally set to go in at? (Hwy 77 and Warlick BLVD) Lots of money was spent to develop that area and get it ready for a Wal-Mart to go in a few years back and then the economy went bad and Wal-Mart pulled out. Why isn’t the city pushing them to put it there like originally intended?

Thank you for hearing my concerns and displeasure with the situation. I hope that you and the rest of the city council can come up with a resolution before a building permit is issued. Your Elected positions count on it.

CJ Campbell

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Dear Mr. Camp,

It has come to attention from my husband and the newspaper that there will soon be a Walmart built at the corner of our neighborhood. This is something that is a serious concern for our family. Currently we do have 2 young children who do need to go to sleep at a decent hour and are very sensitive sleepers. If this Walmart is built and there is constant traffic, semi trucks, noise etc. that will be a very serious problem not only for our family, but for our surrounding neighbors who also feel the same. Also, considering the fact of the value of our current neighborhood and personal property, both my husband and myself have the concern that the with the Walmart being built it could possibly reduce the value of our property. With the failing economy right now, is this something that the city is willing to take responsibility for? I would hate for my family and myself to have to pack up and move because of concerns like these. Please understand the concerns of our neighborhood and take them under serious consideration before you start this process. Walmart is not something that is necessary especially in our neighborhood, and I hope you do chose to move it somewhere more suitable for everyone involved. Thank you for your time.

Christyne Hoback

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Dear Mr. Camp,
My family and I are quite upset at the proposed Walmart at the entrance to our Stone Ridge Estates neighborhood. Our concerns are many. Firstly, a retailer like that open into the evening hours and receiving deliveries from large semi trucks will cause a considerable noise and safety issue in the neighborhood. Because it carries groceries, I’m assuming (would like to know numbers) that there would be multiple daily deliveries. Grainger Parkway is the main entrance/exit to the neighborhood and it would be totally inappropriate to share that one lane street with trucks trying to turn into their site. This is a newer neighborhood and therefore many small children. People bought because of the proximity to Adams School. Having the greatly increased number of cars circulating near that entrance is a huge safety, noise and pollution issue. The amount of garbage, including food related garbage, generated by an enterprise that size is a huge issue being so close to peoples homes. These stores are often 24 hour operations like nothing else in the area. There are plenty of other large parcels of land available that would have significantly more buffer space around it which is the way one of these should be built and indeed most of the existing Walmarts are built- with lots of space around them. I believe that locating that Walmart in the proposed site will significantly degrade the quality of living in this neighborhood, one of the most well cared for neighborhoods in south Lincoln. Of all the places I’ve lived, people are the most responsible and take the best care of their property here. I believe the city should support existing neighborhoods and protect them from inappropriate building projects.
Could you advise us on the actions we might take to fight this encroachment??
Thank you for reading this and look forward to your response.
Kate Olson
Jon,

My wife Kelli and I just wanted you to know our vote of not being in favor of the Wal-Mart at this location. It is not in our neighborhoods best interest in many ways to have a large commercial store built smack in the middle of a very clean and progressive part of Lincoln. There must be plenty of other areas south a little farther that Wal-Mart can build to their hearts content and not disrupt a peaceful neighborhood. We all know that many other businesses will follow Wal-Mart and that this location can NOT support that so to build here would be a LOSE LOSE situation for our neighborhood and Wal-Mart. Build south where there is commercial area to expand off of what always follows Walmart.

Thanks for your time and consideration!!
John Reilly
7800 Katrina Lane
Lincoln, NE 68512

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Dear Mr. Camp,

I am writing to express my concern regarding Wal-Mart coming to the Stone Ridge Estates neighborhood. I have lived on 24th and Grainger Pkwy since 2004 and have seen the traffic flow in and out of this neighborhood on this street and it's already quite substantial. This neighborhood is located next to public schools such as Adams, Scott and not far from Southwest High, thus making it a very attractive neighborhood for many young families with very young children. As one of these families, I am more than concerned of the traffic flow, the various people coming in and out of this store and giving more exposure to the current safety of the neighborhood. Right now, the parents of kids as young as 3 and 4 years of age can feel very comfortable with their child running a few doors down to the neighbors and not feel like they need to be on the lookout for strange vehicles in the neighborhood.

This will all change if Wal-Mart comes to this location.

There will be a HUGE traffic influx, there will be pollution, lights, many strangers, noise, and a massive, bland, store. Thus leading to definite decreased property values for the homeowners in this specific neighborhood. Decreased property values of all homeowners means less taxes coming into the city, less tax dollars means less going to valuable resources such as schools, etc....

Please help us fight this and overturn this decision to allow Wal-Mart into this neighborhood.

Warmest Regards,
Mark Schrieber
2323 Grainger Pkwy
Lincoln NE 68512
402-420-2336

Mark Schrieber | Business Territory Manager | RTG Medical
Ph 866.784.2329 x255 | Fx 877.550.6600
www.rtgmedical.com | Mark.Schrieber@rtgmedical.com

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Subject: Travis Ehlers

Mr. Camp,

My name is T.J. Ehlers, I am a homeowner who has property that backs up to Grainger St. that will be directly across the street from the open lot that (according to a recent Journal Star article) Wal-Mart is planning to build a new store on. I have a great deal of concern about this and would like my voice to be heard that I am vehemently against this. The concerns are mostly tied to the extra traffic, lighting (open 24 hours), and the potential decrease this will cause to local property values like my home.

I am sure you are getting a ton of these types of emails so I appreciate you reading this and adding me to your list of concerned patrons.

I hope there is something we can do to prevent this proposal from happening.

Thank you for your public service,

Travis J. Ehlers
2535 Alana Ln
Lincoln, NE 68512
402-304-1081

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Good Morning Jon,

Wal Mart is a great store and business, but it does not belong at 27th and Grainger in Lincoln. We will not do business there. I'm very much opposed to this decision by the City Council. As a registered voter and resident of Lincoln I hope our voices will be heard.

Thank you,
Robert and Brenda Downey
2324 Scotch Pine Trail, Lincoln NE 68512

Rob Downey
CERTIFIED FINANCIAL PLANNER™
Financial Advisor
Morgan Stanley Smith Barney
1248 O St., Suite 1100
Lincoln, NE 68508
office 402-479-1243
fax 402-474-0384
cell 402.560.4690
robert.downey@mssb.com
www.morganstanley.com/fa/downeyrichters

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Mr. Camp,

I am a resident of the Stone Ridge neighborhood. I would like to make you aware of my opposition and displeasure of a Walmart being planned to be built at 27th and Grainger Parkway. I do not feel that this particular lot is a good location to place a Walmart. The lot is small, it will be surrounded on three sides by residential living areas. Where in Lincoln is a large box store surrounded by residential living areas on three sides? Then there is the concern for the safety of the children in the neighborhood. Currently, I feel safe with the children walking around the neighborhood, but this is going to change if a Walmart is placed in this lot. Due to the close proximity to the Walmart and the fact that numerous children walk through this area to walk to Adams Elementary School is going to be a risk for our children. This does not even include the increased amount of vehicular traffic that will pass through the neighborhood. The traffic on Grainger has steadily increased over the years, but the addition of the Walmart will increase the traffic immensely and place our children at risk crossing Grainger Parkway to go to Adams Elementary, Scott Middle School and Southwest High School. Why isn't the Walmart being built by the Kohl's at 27th and Yankee Hill. This seems like a much better location due to the other retail space that is already in the area. What can we do to stop this Walmart from being built in our neighborhood? Your assistance and guidance on this request is greatly appreciated.

Todd Wiley
2411 Scotch Pine Trail
Lincoln, Ne
402-423-1410

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Mr. Camp, I’m sure you’re getting inundated with emails regarding the newly announced Walmart. I would just like to point out that the people who are upset should have known about the area being zoned for Big Box type development as I believe it was zoned for this since the day the development was set. We have lived here for 5-6 years, and we knew of the zoning when we built. I’m sure those opposed were hoping it would be some glamorous store and likely would not have been opposed to something “nicer”. The people who live immediately to the west of the proposed development have already had extra trees planted in their back yards out of the homeowners associations funds (previous President and officer of the HOA live along that section and approved the spending on their own) so I say go ahead and build it. I live in Stone Ridge and I really don’t see people driving thru the subdivision to get there when they can get access to the development by traveling along 27th or Yankee Hill, both of which are 4 lane divided roads with speed limits of 40 MPH.

As usual, everyone is in favor of development close to them, just not too close!

Sincerely

Kirk Laughlin
Subject: Proposed New WalMart 27th & Grainger

Mr. Camp, Would you please do all you can to stop the building of such a facility in our neighborhood, Stone Ridge Estates. Nothing of this nature belongs among such a beautiful neighborhood. There are much more appropriate properties to build such a monster to the immediate south. Please support myself and my neighbors. Sincerely, Steve Pirtle

Sent from my Samstheung Epic™ 4G Touch

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Mary M. Meyer

Subject: Walmart

Mr. Camp,

I am a resident of Stone Ridge Estates where Walmart plans to build a new store. I am writing you to urge you to help us stop this plan.

I will start by saying I am not against growth. Growth is very much necessary for a city. I understand businesses generate tax money. I also understand this land is zoned for a business. But not the business anyone here understood it to be. What I don't understand is why this has to be a big box store at the entrance to our neighborhood. This is not a place for any big box. A small market or strip mall is what fits there. Or a higher end store. That is what the people in this neighborhood want. We all drive by the Wilderness Hills empty mall everyday and wonder why it has sat there empty for years. If good stores went in, trust me, we would shop there. I will tell you upfront that I do not shop at Walmart, I do not like Walmart. I do not enjoy being in their stores nor do I like their products. It has nothing to do with a hate for big corporations or how they treat their employees, I personally have no first hand knowledge of any of that. But let's face it, look at their reputation. I've been asked "if this were a Super Target, would you be so upset?". Honestly, I wouldn't be quite as upset but I still would not want it. A big box just doesn't fit. And Walmart definitely doesn't fit in this neighborhood. The people around here that do shop Walmart (I personally know of only a couple) can drive 10 minutes to the 84th St store. What's wrong with 2 blocks away on Yankee Hill where all the other big businesses are going? Tom White was quoted in the Journal Star today saying our concerns “totally come down to the fact it's Wal-Mart,". I don't believe this to be true at all. It certainly doesn't help that it's Walmart but that's not all of it. Something that big simply does not belong right on the entrance to a neighborhood.

I love when Lincoln gets new stores but it seems we are in this rut of the same store at every turn. Walmart, Walgreens and CVS have taken over this city. Why on earth does Lincoln need another Walmart when there are already 3, plus 2 Sam's Clubs?? They say if people wouldn't shop at the big stores, then they would not be profitable and would quit building. The thing is, we have no choice but to shop at the bit retailers because that's all we have.

I'm not trying to be irrational, I know I live in the city not the country. But I also live in a nice, quiet, peaceful, fun neighborhood that doesn't want to be taken over by a big box and the noise, trash and traffic that comes with it.

Please, I urge you to help us.

Thank you so much for your time

Julie Fosler
Version: 2012.0.2171 / Virus Database: 2425/4999 - Release Date: 05/14/12
Internal Virus Database is out of date.
Dear Mr. Camp,

I am writing you to express my concerns regarding the proposed Wal-Mart at 27th and Granger parkway, in the Stone Ridge Estate neighborhood. After considering the impact of this proposal I feel strongly that the city should search for property further from this elementary school neighborhood. This project will put the children who walk and bike to school from Wilderness Hills, Wilderness Ridge, and Stone Ridge Estates in danger due to the increased traffic flow and the various people coming in and out of the store. This will have a dramatic impact on our children’s quality of life as they will have to have an adult with them at all times during their outside play. I chose this neighborhood five years ago because I wanted a property where my children could walk to school and ride their bikes without the fear of heavy traffic and without the fear of strangers coming in and out of our area. This project takes away what I value most in this quiet Lincoln neighborhood.

In addition to the safety of my children, I have listed my other concerns below:

1. I know these mega stores have large semis coming and going throughout the evening and overnight to restock the stores. We decided to purchase this home on the far southwest side of Lincoln so we did not have to deal with lighted store signs, parking lot lights, and loud trucks unloading goods. We knew this property decision would increase our commute time to work and other activities, however, our priority was to live in a quiet, family friendly community. We never dreamed that we would be dealing with a Wal-Mart super center in our neighborhood.
2. We are also very concerned with the impact this will have on property values, which will have a direct impact on tax dollars coming into the city. This store will reduce tax dollars coming from homes in Wilderness Ridge, Wilderness Hills, Granger O’Shea, and Stone Ridge Estates. I think that alone would be a compelling reason to search for property further from an elementary school neighborhood.
3. My final objection comes from a rather personal side. My children have built so many memories playing games, sledding on the hill, and looking for interesting treasures on that open property. It is just horribly sad to think that a mega store will potential be consuming that property. In addition to a huge building, a store like that brings so much litter and trash onto the grounds that will now be blowing around the areas that our children love to play. This project is truly a tragedy for the southwest communities of Lincoln.

Please, partner with us to object and overturn the decision to allow Wal-Mart into our elementary school neighborhood.

Sincerely,
Jason and Courtney VanScoy
7850 S. 24th Ct.
Lincoln, NE 68512
402-309-4115
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Mr. Camp,

Thank you for your time in this matter. My family moved into our home which backs up to the lot in question one week ago today. We are so disappointed in these recent developments as this is our dream home and we cannot believe that one week after moving in Wal Mart announces these plans.

As a mother of two school age children I am very concerned about traffic & safety. I am hopeful that we (Stone Ridge) and our representatives (you) can provoke change in this important decision.

Thank you again for your time!

Heidi Shaddick

Sent from Heidi's iPhone

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Mr. Camp,
I am a Stone Ridge Estate resident and am extremely opposed to the building of a Walmart at 27th and Grainger Parkway. As our city council representative I urge you to help us stop this process!
Mary Gansemer
7737 South 26th Street

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Mary M. Meyer

Subject: Opposition to the Walmart in Stone Ridge

Jon,

Our family is opposed to the building of Walmart due to excessive traffic 24 hrs / 7 days a wk. This influx of traffic (cars, trucks, etc) will spill over thru the division as folks try to cut thru the neighborhood as congestion on 27 & grainger will be a problem. Many kids playing in this neighborhood. We were under the understanding that this would be possibly stores, but something like they put in Fallbrook or Wilderness Hills or even Coddington st. Having a large box store will surely decrease our property values. Please do what you can to stop this action by Walmart.

Chris

"Tomorrow is One Day Too Late!"
"What Is Measured Gets Done!"

Molex, Inc.
Lean / Six Sigma CPD Division Master Blackbelt
700 Kingbird
Lincoln, NE 68521
Tele: (402)-458-8677; Fax: (630) 813-8677; Cell: (402) 525-1886
christopher.vetch@molex.com

molex® GLOBAL LEAN SIX SIGMA
one company > a world of innovation
Mary M. Meyer

Subject: Stone Ridge Estates/ Walmart

Dear Mr. Camp,

Since Wal-Mart announced that they are building a Wal-Mart Supercenter in the empty space at 27th and Grainger, there has been much discussion in our neighborhood. This obviously is concerning to me as a resident of Stone Ridge Estates because of many factors. Other than the obvious factor of sitting a huge big box store in what really is the middle of a neighborhood there are the issues with traffic, lighting, noise, litter, storm water runoff and screening the development from neighbors.

I am contacting you to let you know my opposition to this project and ask for your help in stopping it. I do not feel that 27th and Grainger Pkwy is the place for a 130,000 square foot Wal-Mart, and our neighborhood will do whatever we can to fight it. There are plenty of other locations in our vicinity that are not surrounded by homes.

The reason we moved our family to this neighborhood was to get away from traffic. It was concerning when they built a multistory Holiday Inn just blocks from our home, but we dealt with it. It is far enough away and not surrounded by 3 edges of our neighborhood. If we were to consider moving, I am fearful this will impact our property values as well.

Thank you for your consideration in this matter,
Jennifer Smith

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Mr. Camp,

We are writing to voice our concerns and opposition to the WalMart proposed to being constructed at the area of 27th and Grainger in Lincoln. While we believe most everyone in the neighborhood knew and understood a commercial building would eventually be built here, most of us were of the understanding that it would be a commercial enterprise of far less impact than a Walmart Superstore. Considering that it will be this kind of store, we are concerned with the noise, traffic, and overall increased activity that will be going on all hours of the day and night. We are particularly concerned with truck traffic making deliveries which would most likely be on the back end of the Walmart store and along the edge of our neighborhood homes.

There is already an abundance of vehicle traffic at the 27th and Grainger intersection. So much so that during certain times of the day, it is difficult to exit the neighborhood to get on 27th Street. We cannot imagine the impact of this traffic with the addition of a Walmart Superstore.

If this was the only available space in this area, perhaps we would be more understanding. However, there seems to be plenty of available space just south and east of this area near Kohls or south across the street from Target along Yankee Hill. We fail to see the logic of constructing a Walmart in any residential neighborhood when this kind of space is already available which would have far less impact.

We understand the City Council was not involved in this decision due to the way the land was already zoned. However, we respectfully request that the Council as well as the city planners get engaged to help us resolve this issue.

We thank you in advance for your support.

Sincerely,
Cory & Diane Podany
2400 Scotch Pine Trail
(402) 450-1105

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May 26, 2012

To: City Councilman Carl Eskridge
From: Nan Graf
139 North 11--#603
Lincoln, NE 68508

Thanks to you and other Council Members for voting to expand fairness in Lincoln. I grew up in a family that prized "Justice for all,"and I mean all because I had a fine gay cousin who could only live openly in San Francisco. He served for 30 years as Chair of the Art Department in a city college; as for his own art, he created beautiful pottery that was both useful and durable. He was a kind, interesting friend as well as a relative.

Some quotations relevant to recent City Council action from Jason Stanford's article entitled "Obama Becomes Black LBJ":

    LBJ's aides "cautioned him about spending political capital on the Civil Rights ACT..." LBJ's response was "What the hell's the presidency for?" (re: Vol.4 CaroBio).
    Quoting from moderate Republican and well-known D.C. attorney Ted Olson: "It is very sad to me that people who belong to the party of Abraham Lincoln are resisting so strenuously the equality and decency and integrity and treatment of our gay and lesbian brothers and sisters." (from Progressive Populist monthly newspaper--6/15/2012, p. 15)

Peace- Nan Graf
I am writing to protest in the strongest terms the comments that have been attributed to the Lincoln City Attorney in this morning’s Journal Star.

Citizens of Lincoln, who pay taxes and vote, are endeavoring to have our voice heard, and the Attorney for our great city taunts us by saying that we are doing something wrong, but that he will not tell us what we are doing wrong until after the time for gathering signatures has passed. And then he claims to not work for us. Mr. Cofer, who do you think pays the taxes which supply the money for your salary???

This is absolutely ridiculous!

Let the people of Lincoln be heard! What is the problem with that? Why does the City Attorney have a problem with the democratic process???

Frankly, as I watched his performance at the hearing in front of the City Council, as I saw him being so unprepared, if I were on the City Council and if I were in favor of this Ordinance, I would have made a motion to fire him immediately. And now this taunting of the people??? I would double down – he should be fired, and someone should be hired who could better serve not only the Council but the people of our good city.

Rev. Jeffrey L. Scheich
5141 Larkwood Rd.
Lincoln, NE 68516
Mary M. Meyer

Subject: Michaela Maglalang Email on meeting
Importance: High

Stone Ridge Homeowner's Meeting
Importance: High

Please share with neighbors – we will work to distribute flyers or go door to door this weekend. Please plan to attend!

Tuesday May 29th

Time: 6:00 pm

Location: Horizon’s Community Church 3200 Grainger Pkwy

Topic: Opposition to Wal-Mart building in our neighborhood (corner of 27th/Grainger Pkwy)

Thank-you for everyone’s support!

___________________
Michaela Maglalang
(434) 981-3643 cell
(402) 261-6504 home

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Subject: FW: Jennifer Zimmerman Email

The boards general position is that we do not feel that 27th and Grainger Pkwy is the place for a 130,000 square foot Walmart, and we will do whatever we can to fight it.

The traffic that would bring to the area would be outstanding. This Walmart would decrease the value of our homes among many other reasons this is a BAD idea! There’s already one in South Lincoln which would be 10 minutes from this one. WEST Lincoln needs a Walmart.

Thank you for your time,

Jeni Zimmerman
Associate
Customer Care
QBE FIRST

Email: jennifer.zimmerman@qbefirst.com
Web: www.qbefirst.com

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Mary M. Meyer

Subject: Wal-Mart Rep is coming!

From: Michaela Maglalang [mailto:michaela.maglalang.gfml@statefarm.com]
Sent: Thursday, May 24, 2012 10:32 PM
To: Jon Camp
Subject: Wal-Mart Rep is coming!

This should help....

From: Delia Garcia [mailto:Delia.Garcia@wal-mart.com]
Sent: Thursday, May 24, 2012 8:11 PM
To: Michaela Maglalang
Subject: RE: Urgent Request for Representation for Stone Ridge Subdivisions - week of May 28th

Michaela,

Thanks for your email. I saw the note that the meeting has been confirmed for Tuesday. We are arranging for someone to attend the meeting. I’ll send you more details as I receive them.

Best,

Delia

Delia Garcia  Media Director, Walmart West
Cell 479.644.7811  Media Hotline 800.331.0085

From: Michaela Maglalang [mailto:michaela.maglalang.gfml@statefarm.com]
Sent: Thursday, May 24, 2012 10:22 AM
To: Delia Garcia
Subject: Urgent Request for Representation for Stone Ridge Subdivisions - week of May 28th
Importance: High

Good Afternoon Delia,

I am serving as the Vice-President of the Homeowners Association (Stone Ridge) located in Lincoln, NE. We are planning to conduct an Emergency neighborhood meeting next week to address the concerns many residents have regarding the plans for a Wal-Mart. In addition to local media (print & television) attendance will also include local City Council members, and State Senator Colby Coash.

We are requesting a representative from Wal-Mart to address the numerous questions and concerns from citizens. If you would be kind enough to contact me directly via email or cell phone (434-981-3643) or put me in contact with a more “local” representative, it would be greatly appreciated.

Kindest Regards,

Michaela Maglalang, LTCP
Here is an example of the type of frustrations expressed by homeowners over this decision, many others echo similar concerns.

I am writing you to express my concerns regarding the proposed Wal-Mart at 27th and Granger parkway, in the Stone Ridge Estate neighborhood. After considering the impact of this proposal I feel strongly that the city should search for property further from this elementary school neighborhood. This project will put the children who walk and bike to school from Wilderness Hills, Wilderness Ridge, and Stone Ridge Estates in danger due to the increased traffic flow and the various people coming in and out of the store. This will have a dramatic impact on our children’s quality of life as they will have to have an adult with them at all times during their outside play. I chose this neighborhood five years ago because I wanted a property where my children could walk to school and ride their bikes without the fear of heavy traffic and without the fear of strangers coming in and out of our area. This project takes away what I value most in this quiet Lincoln neighborhood.

In addition to the safety of my children, I have listed my other concerns below:

1. I know these mega stores have large semis coming and going throughout the evening and overnight to restock the stores. We decided to purchase this home on the far southwest side of Lincoln so we did not have to deal with lighted store signs, parking lot lights, and loud trucks unloading goods. We knew this property decision would increase our commute time to work and other activities, however, our priority was to live in a quiet, family friendly community. We never dreamed that we would be dealing with a Wal-Mart super center in our neighborhood.

2. We are also very concerned with the impact this will have on property values, which will have a direct impact on tax dollars coming into the city. This store will reduce tax dollars coming from homes in Wilderness Ridge, Wilderness Hills, Granger O’Shea, and Stone Ridge Estates. I think that alone would be a compelling reason to search for property further from an elementary school neighborhood.
I was very disappointed by the homophobic rant delivered to you by Ms. Svoboda. I've seen accounts in the press that she is mentally ill, which may be an explanation, although not an excuse, for her graphic comments. However, I am surprised that the council allowed this testimony to continue on for a long time. Our society thrives on civil discourse, but M. Svoboda comments were anything but civil.
Members of the Council,

I would like you to not support the change of zone proposed in #12010. The location at 48th and "O" Street is near a school, Hawthorne and also has residential housing just behind the store, because of these things I do not think it would be a good policy to allow Walgreens to sell Liquor at this location. Even of more concern is the Walgreens at 14th and Superior. At this location there is a school near by and right behind the Walgreens is a park with a playground for young children. There is also a library next to the park. I do not think that there should be liquor sold near these spots. If Walgreens has this exemption there will be more requests for the same changes in other places. The language is vague" significant vertical grade difference. " instead of the words 100 foot horizontal separation. This is without a definition, and therefore subjective and will be difficult to administer fairly. There have been exceptions before, and continual exceptions and changes in the standards by relaxing and then making restrictive changes have just made it more difficult to interpret and administer this particular municipal Code.

Thank you for your consideration of my request.

Mary Reeves
3236 Dudley St.
Mr. Smith,

I am the manager for Bayer CropScience for Nebraska and South Dakota. I am writing to express my displeasure of how your department has handled my payment of citation number 53035558 issued 5/9 at meter #1214.

I am writing this letter in fairness for you, the City of Lincoln, and its business owners. I wasn’t going to send anything, but its not fair to you if I do not.

I spent the day of May 9 meeting with a customer in the Haymarket area, and due to inadequate parking in the area; I couldn’t leave the meeting to pay the meter again and thus received a $10 ticket. Which – I understand and I knew that was what would happen. I got home, placed the ticket on my desk with intentions to pay upon getting home from my next business trip when I can take care of my expenses accordingly.

The payment was submitted on May 16, after the ticket was received on May 9. Today my payment was returned saying that I now owe $25 because I didn’t pay the ticket within 7 days.

A 7 day turnaround is absolutely unreasonable and I have never seen that quick of a requirement. I’ve seen payment terms of net 30,45,60 day terms, but never 7.

Thus – This is an indicator that Lincoln, NE is not a business friendly city. It appears that the City of Lincoln does not appreciate patronage and this truly gives Lincoln a black eye. It makes me wonder – ‘What else are they going to hit me with down the road?’

So I now have to decide if I continue to do business in the City of Lincoln. I’m sure that the businesses in Lincoln would enjoy knowing that simple parking meter terms could cost them revenue. Norfolk, Columbus, Ashland, LaVista, Omaha, Grand Island and Nebraska City are all other options for me. So it may be time to test the waters.

To help you quantify what this patronage is worth:

I hold 7-15 meetings in Lincoln per year with an average spend of $2700 per meeting with hotel and room, plus evening dinners that average $1100 over the course of our meetings. We also hold other farmer/ag retailer events and frequently decide between many towns which meeting those will be held in.

A good estimate is $38,000 of business done by me in Lincoln, NE.

So my question for you, the mayor, and the city council –
- Is a 7 day payment requirement something that you feel is the best for your city?
- Do you feel that a 7 day turnaround with a 250% increase is reasonable?
- Do either of these 1) improve city parking issues, 2) truly improve your cash flow, 3) make Lincoln, NE a better/safer place to be?

It may be that I do not understand the value of this requirement, and if so – please help me understand how this improves Lincoln, NE and makes me a better patron / citizen.
I have some decisions to make—and a response would be quite helpful.

(By the way – why is a $25 ticket such a big deal of $3X,XXX spent in the city? Answer: I cannot expense tickets to my company. It is a cost to me. Room taxes – yes, parking fees – yes, tickets – no. Plus, as I mentioned above – its an indicator that there may be other unreasonable hits will I take that are patron abuses down the road.)

Sincerely,

Shawn Koehler
District Sales Manager - Plains District
Bayer CropScience

Mobile: (515) 468-7011
Office: (712) 527-2840
Fax: (888) 586-5718

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For alternate languages please go to http://bayerdisclaimer.bayerweb.com
It seems to me that the citizens of Lincoln have the right, via the referendum process, to put ordinances passed by city government to a vote of the people. It also seems like the current city government is doing all they can to stifle this process. Instead of representing the people you are going out of your way to disenfranchise many of our citizens. Instead of helping facilitate legal avenues of getting the citizen’s voice heard, it appears (at least in regards to the “Fairness Ordinance”) that you know better than the citizens do regarding the best interests of our city and are afraid of a vote of the people. I and many others will remember this at the next election and do all we can to defeat you, just as you all are working to defeat the will of a sizable number of our citizens. Bruce Gfeller

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From: Gfeller, Bruce E. [mailto:BGfeller@stez.org]
Sent: Friday, May 25, 2012 1:35 PM
To: Mary M. Meyer
Subject: Gfeller

Regarding my last email, I am writing as a private citizen and not as an employee of St. Elizabeths or the Physician Network. Gfeller

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Council Members,

I just wanted to express my support for continued development of bike lanes in the downtown area and bike trails in general. I commute by bike almost daily from the Highlands neighborhood to downtown. I use the existing downtown bike lanes on both 11th and 14th Streets and look forward to the proposed lanes on 'N' Street.

Also, thank you for adding the new wider bike-friendly sidewalk as part of the N 1st Street road resurfacing and widening project between Cornhusker and Superior. That sidewalk/trail will better connect northwest Lincoln, including the Highlands and Fallbrook neighborhoods, to downtown and the rest of the trail system.

Rick Becker
rwbecker@gmail.com
InterLinc: City Council Feedback for General Council

Name: Tim Yrastorza
Address: 6612 Marcus rd
City: Lincoln, NE 68516

Phone:  
Fax: 
Email: 

Comment or Question: 
Sirs and Madam:
I am extremely unhappy with the recently passed ordinance on May 14 establishing precedents for sexual orientation. I am particularly unhappy with the way this process was so extraordinarily manipulated.

Even more so now to learn the the City Attorney is attempting to invalidate the petition to put the issue before the people that all of you are supposed to represent. This is exactly the type of politics that is disillusioning younger people and fueling the "throw the bums out" attitude of the people.

I urged you all to allow the people of Lincoln to decide this issue.

Sincerely,
Tim Yrastorza
May 25, '12

To the City Council:

Please do not approve Change of Zone No. 12010 that would allow waiver of the 100-foot separation requirement between licensed alcohol sales and residential districts, parks, churches, and other facilities.

It's not essential that every drug store in Lincoln be allowed to sell alcohol. We have more than enough liquor sales outlets already. This change could open the floodgates to more proliferation of liquor sales throughout the city, much to the detriment of our quality of life for the whole community.

John Reeves
3236 Dudley St.
Media Release

To: Media
CC: Mayor's Office, Lincoln City Council
From: Lori Seibel, President/CEO, 402-436-5516
       Community Health Endowment
Date: May 29, 2012
Re: CHE Annual Meeting with the Community

Community Health Endowment Annual Meeting
To Feature Joe Flower, Healthcare Futurist

Joe Flower, healthcare futurist and writer, will be the featured speaker at the Community Health Endowment's Annual Meeting with the Community at BryanLGH East Medical Plaza, 1600 S. 48th Street, on June 25, 2012 at 3:00 pm. With over 30 years of experience, Joe Flower is a premier observer and thought leader on the forces changing healthcare in the United States and around the world.

Flower is a systems thinker and change agent and has incorporated these concepts into his forthcoming book, "Healthcare Beyond Reform: Doing It Right For Half The Price." Visit www.imaginewhatif.com to learn more about Flower and his writings. Prior to the Annual Meeting, Flower will speak to an audience of local healthcare executives.

The Annual Meeting will also feature the presentation of the annual Horizon and Closing the Gap Awards. This event is free and open to the public. Please register to attend at http://cheannualmeeting2012.eventbrite.com or call 402-436-5516.

Joe Flower is available for interview and comment prior to the event. Please contact CHE for information.
InterLinc: City Council Feedback for General Council

Name: Joseph Gourlay
Address: 901 D St. Apt. B
City: Lincoln, NE 68502

Phone:
Fax:
Email: jomagol@gmail.com

Comment or Question:
I am writing to speak in favor of the protected bike lanes. I am a bicycle commuter for most of the year (except when I can't face extreme cold or snowy conditions). I use the current bike lanes several times per week, and I believe it's important to expand these lanes in the downtown area. While I generally feel safe riding in the street in most parts of the city (including downtown), I know others who would ride downtown if only they felt safer doing so. By providing these lanes and encouraging bicycle traffic rather than car traffic, you will actually free up the beloved downtown parking spots. After all, a parked bicycle takes up hardly any space compared to a parked car. Please help Lincoln advance as a cyclist-friendly city. Thank you for your time.
Unfortunately, I will be unable to attend the forum today regarding the bike lane on N street but I fully endorse this concept and would encourage it to go forward. The benefits will be far reaching for our community, improving recreation, the city center, and health.

Vonn Roberts
vroberts@inebraska.com
Lincoln, Nebraska  
May 30, 2012

Tom Cajka, Planner 1  
Planning Department  
City of Lincoln/Lancaster County  
555 South 10th Street  
Lincoln, Nebraska 68508

RE: Gratitude Bakery on Fairfax Street and North Cotner Blvd.

The Lincoln City Council will be discussing this business location in your upcoming meeting on June 4th. I am writing in support of approval of this business in the downtown Bethany area. I understand there has been concern expressed about the availability of parking space to accommodate a restaurant in this new business. I am very familiar with this area, having lived in Bethany for forty years. There is available parking, without infringing on other businesses, located in this area. There is parking available on both sides of Fairfax Street west of Gratitude that could be used, including the parking lot of the Bethany Christian Church, and Fairfax Street, east in front of the Cotner Center. I can see customers dropping off their family or friends in front of Gratitude and driving to a nearby parking spot, returning to join them in a meal.

We need this business in the Bethany area as we have suffered from the slump in the economy, as other areas of the city have. I have observed new businesses, filling the empty store fronts, which has brought new life to our treasured area of northeast Lincoln.

I urge the approval of the Gratitude business in Bethany on Fairfax Street and North Cotner Blvd.

Sincerely,

Marian L. Price

Copies to:

Adam Hornung, City Council Chair  
Doug Emery, My Council Representative  
Other members of the City Council
City Council Members,

I would like to bring to attention the sidewalks and streets in the Haymarket. I am in a Wheelchair and trying to move about in the Hay Market is rather difficult. With all the improvements the city is completing in this area you would think that there would be a different layout that you could use for all types of people who want to visit this area. I wonder if any of the city council members or the persons in charge of laying the brick on the street corners with the ramps have tried to cross these bricks in a wheelchair. There are ways for this to look nice but yet be smooth without all the bumps in the bricks. I would suggest that you give it a try and see how it works for you. I can not participate in the Farmers Market without assistance since I do put "stuff" on my lap and it will bounce right off since the street is unfriendly. Try it out sometime. FOOD for Thought!!!

Terri Schmidt
402 – 477-9811
DIRECTORS’ AGENDA
ADDENDUM
MONDAY, JUNE 4, 2012

I. CITY CLERK

II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS

MAYOR
1. NEWS RELEASE. Mayor Beutler appoints Nick Cusick to the Lincoln Airport Authority Board.
2. NEWS RELEASE. Environmental Leadership Awards presented.
3. Response from Rick Hoppe, Mayor Beutler’s Chief of Staff, on Sales Tax Email.
5. NEWS RELEASE. Mayor invites public to fourth Waterfest, Public Works Day at Holmes Lake.

III. DIRECTORS

HEALTH DEPARTMENT
1. Environmental Leadership Awards presented.

PLANNING DEPARTMENT
2. Letter of support for Gratitude Café and Bakery parking permit.
3. Correspondence from Planning Director, Marvin Krout. Proposed Wal-Mart at 27th and Grainger Parkway.

IV. COUNCIL MEMBERS

V. CORRESPONDENCE FROM CITIZENS
1. InterLinc correspondence from Gaylene Ellison. Oppose the building of a Wal-Mart store at 27th and Grainger.
MAYOR APPOINTS CUSICK TO AIRPORT AUTHORITY

Mayor Chris Beutler today announced his appointment of local businessman Nick Cusick to the Lincoln Airport Authority Board. He will replace Ed Raines who resigned from the position because he has moved away from Lincoln and no longer meets residency requirements. The appointment will go to the City Council for confirmation.

Cusick is the co-founder and CEO of IMSCORP, a Lincoln-based holding company founded in 1974 that now includes three manufacturing subsidiaries. He has a masters’ in business administration from UNL. His civic activities have included service on the boards of the Foundation for Lincoln Public Schools, Junior Achievement, the Lincoln Chamber of Commerce and the Bryan LGH Medical Center. The Mayor said Cusick has a proven record of success.

“It is a critical time for the Lincoln Airport Authority as they are in the process of implementing a development plan that includes the installation of infrastructure in an area generally north of the airport and west of Kawasaki,” Mayor Beutler said. “Part of this plan includes a conditional grant award from the State of Nebraska to fund the project. To keep the momentum moving forward, I am expediting the process relating to the appointment of a new board member.”

The five-member Airport Authority Board is the policy-making body for the airport and the Air Park industrial park. Members serve six-year terms on the unpaid board. Cusick would fill the remainder of Raines’ term which ends in May 2013

Cusick thanked the Mayor for his confidence and Raines for his service on the board.

“The entire aviation and commercial property that the federal government deeded to the Authority in 1968 is an important community asset, and it is critical that its potential is maximized for the benefit of all Lincolners,” Cusick said. “Over the next couple of months I will work with Executive Director John Wood and other board members to get up to speed on issues facing the Authority so that I can become a contributing member of the board. I look forward to a bright future for the Lincoln Airport Authority.”
ENVIRONMENTAL LEADERSHIP AWARDS PRESENTED

The winners of the 2012 Lincoln-Lancaster County Environmental Leadership Awards were honored today at a breakfast at the Champions Club. The awards recognize businesses, organizations and individuals who have demonstrated environmental stewardship and dedication to sustainable practices that improve air, land and water quality while protecting public health. Speakers included County Commission Chair Deb Schorr and City Council Chair Adam Hornung. Awards were presented to the following:

• **Business and Industry – Assurity Life Insurance Company**
  The new Assurity Center at 20th and “Q” streets will be the first large office building in Lincoln to receive LEED Gold certification from the U.S. Green Building Council. The building incorporates sustainable and innovative design elements and green materials. The Assurity Sustainability Task Force establishes policies on environmentally friendly purchasing practices and recycling initiatives and promotes energy saving measures, green cleaning and a paper-free workplace. Assurity chose to build in an urban renewal area, and its headquarters anchors the Antelope Valley redevelopment area.

• **Business and Industry - Sway Hairspa**
  This hair salon began using and selling only AVEDA products in the 1990s. AVEDA makes its pure plant products using only wind energy, uses recycled packaging and sources all ingredients sustainably and often organically. Sway has worked to reduce its use of water, energy and chemicals. Since 1999, Sway has helped raise money for Audubon Nebraska’s Spring Creek Prairie and Rowe Sanctuary.

• **Education - Sueann Ahrens**
  Ahrens has taught and directed the Pioneers Park Nature Center preschool since its beginning in 2000. The natural environment is incorporated into classroom activities and outdoor time. Ahrens helps children develop values that will contribute to environmental stewardship and sustainable living.

• **Education - Villa Marie Home and School**
  For 20 years, students at this facility near Waverly have partnered with eighth-graders from St. John’s School in Lincoln to clean litter along seven miles of county road near the school. Students and staff plan for the collection and recycling of the litter. Students also are responsible for collecting and recycling school trash all year.
• **Nonprofit Organization - Downtown Lincoln Assoc. (DLA) Maintenance Group**
  DLA’s crews keep downtown clean of litter, collect trash, sort recycling, clean graffiti and sweep cigarette butts off sidewalks. They also enhance downtown’s appeal by planting and maintaining over 1,000 planting beds filled with trees, bulbs, grasses and flowers. The crew’s emphasis on sustainability has reduced the amount of material sent to the landfill and decreased water use.

• **Government - StarTran**
  The City’s mass transit bus system has served Lincoln for over 100 years with a mission to provide the citizens of Lincoln with a reliable, safe and affordable public transportation. Its current fleet includes 58 buses that run on bio-diesel as well as 13 hybrid electric Handi-Vans to transport senior citizens and persons with disabilities. StarTran also has installed bike racks on every bus.

• **Agriculture - George Edgar and Gladys Jeurink**
  Edgar and Jeurink educate the public through weekly *Lincoln Journal Star* articles and appearances on NET’s “Backyard Farmer” program. The Master Gardeners promote sustainable practices such as composting, hand pruning and manual weeding.

• **Individual - Matan Gill**
  Gill, a senior in construction management at UNL, helped create the Environmental Sustainability Committee through the student association. He has helped educate students and community members about environmental issues and opportunities for involvement and activism.
Dear Friends,

Thank you for emailing Mayor Beutler regarding your concerns about the City’s sales taxes. We appreciate hearing what’s on the mind of community members.

Please forgive the group response, but since all emails were form generated with the exact same message, I am hopeful you will not mind.

It appears the information in your email is based on information listed on the Americans for Prosperity (AFP) website, which unfortunately contained several mischaracterizations of fact.

First, there is no “sales tax proposal” by Mayor Beutler at this point. The Administration did support the Legislature’s decision to give Lincoln citizens the right to vote on a sales tax increase for infrastructure projects. We have not decided whether to seek that increase or how the funds would be spent.

As a result of the AFP information, there seems to be some confusion that the Legislative sales tax bill is related to the current city budget debate. It is not. The general fund budget is in better shape than previous years. While we anticipate some cuts, we do not anticipate a tax increase of any kind.

In the emails and on the website, there seems to be an implication that Lincoln city government is spending beyond its means. The facts simply do not support the insinuation. Since Mayor Beutler has been in office, we have cut a net total of 132 full time equivalent employees or 5.9% of the city workforce and nearly 10% of the non-public safety workforce.

Further, we have made considerable progress on reducing employee expenses such as retirement packages. Mayor Beutler was the first Mayor in 40 years to reduce the City’s two-to-one retirement match for city employees.

As a result, Lincoln city government has a modest tax burden versus other municipalities. Lincoln’s property tax levy is 11th of the 15 largest Nebraska cities, 18 cents less than Omaha’s levy. City government consumes only 15% of your total property tax levy. With these statistics in mind, I don’t think City Hall can be accused of creating a high local tax burden.

The emails mention job creation and business investment. Mayor Beutler has worked closely with the business community on economic development and Lincoln’s economic success is evident. We have cut City Hall red tape for entrepreneurs with our Development Services Center. We consistently find a way to “yes” for job creating business projects that have denied in the past. Lincoln’s unemployment rate is among the lowest in the nation and national publications consistently laud Lincoln’s business climate in their national rankings of successful cities.

If the Administration does put a sales tax proposal before the voters, it will be after consultation with the public about their vision for Lincoln’s future. The construction of the South Beltway and road improvements such as NW 48th are keys to continued economic growth. A fire station re-location plan will allow faster emergency
response times at the city’s edges without hiring new firefighters. It will be up to the public to determine if these are priorities for Lincoln’s future and if they are willing to vote for a sales tax increase to pay for them.

Again, thank you all for the emails.

Sincerely,

Rick Hoppe
Chief of Staff
Mayor Chris Beutler
Date: June 1, 2012
Contact: Diane Gonzolas, Citizen Information Center, 402-441-7831

Mayor Beutler’s Public Schedule
Week of June 2 through 8, 2012
Schedule subject to change

Saturday, June 2
• Taking Charge 2012: Community Conversation on City budget, remarks - 9:15 a.m. (event is from 9 a.m. to 1:30 p.m.), first floor, County-City Building, 555 S. 10th St.
MAYOR INVITES PUBLIC TO FOURTH WATERFEST, PUBLIC WORKS DAY AT HOLMES LAKE

The City’s fourth Waterfest Saturday, June 9 will include a celebration of Public Works Day. The fun and free events planned from 5 to 8 p.m. Holmes Lake Park include music from PANgea, fishing, canoeing, educational exhibits, free refreshments and prizes (while they last).

“Waterfest is an opportunity for those who live, work and play in Lincoln to have fun and learn what they can do to reduce and prevent pollutants from getting into our water resources,” said Mayor Chris Beutler. “We all have a role to play in improving water quality by installing rain gardens and rain barrels, picking up pet waste, fixing auto oil leaks and using lawn chemicals responsibly.”

The Mayor said adding Public Works Day to Waterfest will help to educate the public about the many services the City’s Public Works and Utilities Department provides “from first brush to last flush.” Public Works Day will give the public an up close look at some of the Department’s large equipment, such as a street sweeper, a storm sewer cleaning truck, a combination sander, a truck equipped with a remote camera to view inside pipes, and a boom truck.

The City’s partners in Waterfest include the Lower Platte South Natural Resources District, the Nebraska Department of Environmental Quality and the Nebraska Game and Parks Commission. Other sponsors are Olsson Associates; JEO Consulting Group; the Lincoln Parks Foundation; Pepsi-Cola of Lincoln; Nebraska Concrete and Aggregates Association; EA Engineering, Science and Technology; American Classifieds; Culligan of Lincoln; and the American Red Cross.

More information about Waterfest and Public Works Day is available at lincoln.ne.gov (keyword: waterfest).
ENIRONMENTAL LEADERSHIP AWARDS PRESENTED

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The new Assurity Center at 20th and “Q” streets will be the first large office building in Lincoln to receive LEED Gold certification from the U.S. Green Building Council. The building incorporates sustainable and innovative design elements and green materials. The Assurity Sustainability Task Force establishes policies on environmentally friendly purchasing practices and recycling initiatives and promotes energy saving measures, green cleaning and a paper-free workplace. Assurity chose to build in an urban renewal area, and its headquarters anchors the Antelope Valley redevelopment area.

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Environmental Awards
June 1, 2012
Page Two

- **Nonprofit Organization - Downtown Lincoln Assoc. (DLA) Maintenance Group**
  DLA’s crews keep downtown clean of litter, collect trash, sort recycling, clean graffiti and sweep cigarette butts off sidewalks. They also enhance downtown’s appeal by planting and maintaining over 1,000 planting beds filled with trees, bulbs, grasses and flowers. The crew’s emphasis on sustainability has reduced the amount of material sent to the landfill and decreased water use.

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- **Individual - Matan Gill**
  Gill, a senior in construction management at UNL, helped create the Environmental Sustainability Committee through the student association. He has helped educate students and community members about environmental issues and opportunities for involvement and activism.
URBAN DESIGN COMMITTEE

Notice is hereby given that the URBAN DESIGN COMMITTEE will hold a meeting on Wednesday, June 6, 2012 at 3:00 p.m., County-City Building, 555 S. 10th Street, Lincoln, Nebraska, in Room 214 on the 2nd Floor. For more information, please contact the Lincoln City/Lancaster County Planning Department, (402) 441-7491.

AGENDA
June 6, 2012

1. Approval of meeting record from the UDC meetings of February 16, 2012 and April 4, 2012; and from the joint HPC/UDC meeting of February 16, 2012.
2. Sidewalk cafe for Chipotle, SE corner of 13 & Q Streets
3. Staff Report: Misc.
From: Molly Nance [mailto:mnance@madonna.org]
Sent: Thursday, May 31, 2012 3:25 PM
To: Tom J. Cajka
Subject: Gratitude Cafe and Bakery

Hello, Mr. Cajka-

I would greatly appreciate your help in facilitating the parking permit approval for Gratitude Cafe and Bakery in Bethany. This new business will benefit the neighborhood and the greater Lincoln community through its wonderful baked goods and friendly service. The owners are the type of people I wish we had more of in Lincoln – engaged in their community, putting their financial and personal lives on the line to make a new business grow. They collaborate well with others and I know they've done everything needed to ensure the Gratitude Cafe is within compliance of all regulations and licensing.

Thank you for your help in getting this small, but mighty business to open its doors. I can't wait to get in line on opening day!

Kindest regards,
Molly Nance

Molly C. Nance
Director of Strategic Planning and Marketing
5401 South St.
Lincoln, NE 68506
Ph. 402-483-9572
Fax 402-486-8608
mnance@madonna.org

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Jean Preister

To: Lincoln City Council:

The Planning Department is very aware of the controversy generated by the prospect of a new Wal-Mart store on a 19-acre tract at the southwest corner of 27th Street and Grainger Parkway. Staff has responded to numerous inquiries about the original approval of commercial zoning for this site in 2003, and the more recent administrative approval of adjustments to the site plan to accommodate the specific needs of Wal-Mart at this location. I thought it would be helpful for the Council and others to provide some background on what, when and how the zoning rules for this site were established. I would be glad to visit with Council members individually or together to answer further questions that you may have.

**Original development approvals.** This tract was part of a much larger area north of Yankee Hill Road between 14th and 27th Streets that was annexed in 2001. In 2002, the City Council approved a preliminary plat for residential lots surrounding this property. The plat showed a conceptual “big box” commercial use for the tract in question.

The following year, in late 2003, the City Council approved applications which changed the zoning of the tract from AG Agriculture to B-2 Planned Neighborhood Business District and approved a “Use Permit” for the site. The City’s zoning ordinance requires that in B-2, developers must submit a development plan (a Use Permit) to the Planning Commission for public hearing and approval prior to obtaining any building permits. This also is true in certain other zoning districts that were first established in 1979 to help manage development in new growth areas. If the Use Permit seeks to waive minimum zoning standards such as setbacks or parking, the City Council also must approve the plan.

Somewhat unusual for this site is its mid-mile location, away from the intersection of two arterial streets and with residential development along three sides. This pattern was being encouraged at that time by traffic planners as a way to reduce driveways and traffic conflicts near the arterial intersections, allowing the intersections to have smoother traffic flow. The developer used wide landscaped buffers along the residential edges to mitigate impacts on future residents. While the land use pattern is unusual, it is more common to see collector streets like Grainger Parkway providing access to commercial centers as well as the surrounding neighborhood (for example, Wilderness Hills Boulevard south of Kohl’s and 37th/Grainger Parkway around the SuperTarget site in this same part of the city).

The Use Permit approved in 2003 allowed a total of 166,100 square feet of commercial uses. The B-2 zoning district allows a wide variety of retail, service and office uses. The plan showed 6 buildings, the largest of which was 108,500 square feet in size, and suggested for potential grocery, commercial and restaurant use. The developer volunteered conditions that had two sets of standards for exterior building materials, one for smaller (less than 30,000 square foot) buildings, and another set, with a broader range of allowed materials, for larger buildings.

**Administrative approvals.** In 2008, we approved a request to revise the site plan for a drive-through bank on a building site near 27th Street and revised other small building sites. In March of 2012, we approved the request to: reduce the total floor area from 166,100 square feet to 151,000 square feet, increase the size of the large building from 108,500 square feet to 133,000 square feet, and reduce the number of smaller buildings from 5 to 3. We also approved a revised landscape plan that accompanied the site plan, after requiring modifications so that it was equivalent to the approved plan from 2003.

**Use Permits.** The Use Permit provisions provide the opportunity to review the general extent of development, arrangement of buildings and parking and circulation, grading, drainage and utility concerns, and location of access points, as well as to identify any needed traffic improvements. In other communities, this site plan review process is
done administratively, not by a board at a public hearing. Like zoning changes, Use Permits require notification of nearby property owners, newspaper advertisement, and sign posted on the property prior to the required Planning Commission hearing. Sometimes, developers volunteer to place special restrictions on their developments in response to concerns raised by staff, neighbors or the review boards, and sometimes limitations are imposed by those boards as part of their approval. The Use Permit provisions are not intended to prohibit uses that are otherwise allowed by the underlying zoning district; instead they may limit total floor area and/or potential traffic generation, or deal with individualized concerns regarding landscaping or lighting or building appearance.

At the time this property went through these hearings, none of the nearby residential lots had been developed. Information on this and other zoning and use permit has been available in the Planning Department for telephone or in-person inquiries by interested parties. Over the past 5 years, information on approved zoning and development plans has been available on the department’s webpage.

Criteria for approving administrative amendments. We evaluated the amendment against the applicable criteria which are listed in the zoning ordinance for granting administrative amendments:
- Minor increases are allowed in total floor area. The request was a reduction in total floor area, and staff has calculated that the proposed uses in buildings in the latest plan should generate substantially less traffic than the uses and buildings presumed in the traffic study that accompanied the 2003 plan.
- No reduction to the applicable setback or yard requirements. The footprint of the largest building was not substantially closer to the perimeter of the property, and retained the wide landscaped buffers which exceed minimum zoning requirements.

Another criterion is to be consistent with the general purpose provision of the B-2 zoning district. That provision states: The regulations for the B-2 Planned Neighborhood Business District...permit the development of local retail shopping facilities and related activities which will provide for planned and controlled consumer services on a neighborhood level, promote healthful economic growth, create a desirable environment, best complement the general land use pattern of the community, and assist in implementing the established goals and policies of the community.

The B-2 provisions do not further specify what constitutes “neighborhood”. There is no maximum site size and no maximum floor area for the site or for an individual building. The Comprehensive Plan classifies centers into “neighborhood” and “community” by general size, but the B-2 district has been used to permit retail centers of all sizes, including many that are much larger than the one in question. Retail centers with big box stores all around the city are zoned B-2, including the land zoned in the same part of the city for SuperTarget, Kohl’s, and Shopko. This reflects recognition that larger scale buildings were being proposed by retailers to serve larger market areas for groceries, home improvements, and other retail sales. That trend appears to be reversing to some extent in more recent years, with proximity returning as a more important concern.

Notification and appeals on administrative amendments. The Planning Department processes an average of about 100 applications for administrative amendments per year – not just for Use Permits but for other types of development plans as well: Special Permits, Community Unit Plans, and Planned Unit Developments. We have been making these changes to approved plans for decades. In 2009, as part of a larger set of amendments, staff proposed and the City Council approved a limited notification process which has been in place and was used in the latest approval for the site in question. The ordinance requires that we place a notice of this approval on our website (“Administrative Approvals” link on our homepage), and notify the City Clerk on a weekly basis to post approvals on the City Council agenda under Reports of City Officers.

The 2009 zoning amendments also provided for the possibility of a Councilmember or an “aggrieved person” (as defined by caselaw, someone who could be directly and substantially impacted by the zoning decision, for example due to close proximity) to appeal an administrative approval within 14 days of approval. An appeal results in the application being scheduled for hearing and action by the Planning Commission; their decision could be appealed to the City Council, and that decision can be appealed to district court.
Some homeowners who oppose the proposed development by Wal-Mart have suggested that there should have been additional notice of some kind for the administrative amendment. That is a possible consideration for the future, and we would be glad to discuss this further with the Planning Commission and City Council. Notifying nearby neighborhood and homeowner associations is one possibility. However, we do not have contact information for many existing associations, and many properties in the city are not represented by an association. Mailed property notice would require significantly more staff time and cost, and increase the turnaround time for all developers seeking approvals.

Enhanced notification likely will result in more approvals being appealed – for all kinds of reasons and especially with no cost to appeal. Each appeal could delay a decision for weeks or months. Zoning decisions cannot be “arbitrary and unreasonable,” and given the limited scope of administrative approvals, the grounds would be very narrow for the Planning Commission or Council to justify reversals. In this case, with the total floor area and expected traffic being reduced from the approved 2003 plan, and no other significant change -- except for the knowledge that a particular retailer intends to develop and occupy the site, it is hard to see the justification for a reversal.

--Marvin Krout, Director of Planning
Planning Department
402-441-7491
InterLinc: City Council Feedback for General Council

Name: Gaylene Ellison
Address: 5220 English Dr
City: Lincoln, NE 68516
Phone: 402-423-4398
Fax:
Email:

Comment or Question:
Please oppose building of the new Walmart at 27th & Grainger Pkwy. Residential on 3 sides is no place for a big box store. With all the added traffic it will be an un-safe place for the homeowners. Children going to school, playing in their neighbors etc.
MINUTES
DIRECTORS’ MEETING
JUNE 4, 2012

Present:  Adam Hornung, Chair; Carl Eskridge, Vice Chair; DiAnna Schimek; Gene Carroll; Doug Emery; Jon Camp; and Jonathan Cook

Others:  Teresa Meier, Deputy City Clerk; Rick Hoppe, Chief of Staff; Fred Hoke, Building and Safety Director; Roger Figard, City Engineer; Marvin Krout, Planning Director

Due to circumstances the recording secretary not present when meeting started, arrived 2:25 p.m.

I. CITY CLERK
Meier stated the Board of Equalization first on the agenda, with action being delayed until July 9, 2012 to provide for reassessment. On the formal agenda will call Items 12 and 13 together and also Items 17 and 18 together.

II. MAYOR
1. NEWS RELEASE. City Attorney is legal advisor to Mayor, Council and Officers.
3. NEWS RELEASE. Mayor Beutler’s public schedule for the week of May 26, 2012 through June 1, 2012.
4. NEWS RELEASE. Register online for Parks and Rec classes and programs.
5. NEWS ADVISORY. Mayor Beutler will hold a news conference May 29th, 1:30 p.m., in Room 303 of the County-City Building to discuss the City’s action in response to the petition drive against the recently adopted Fairness Ordinance.
6. NEWS ADVISORY. The May 29th news conference on the Fairness Ordinance has been postponed to Thursday, May 31st, 10:00 a.m., County-City Building, in Room 303.
7. NEWS ADVISORY. Mayor Beutler will discuss the City’s response to the Fairness Ordinance at a news conference, May 31st, in Room 303 of the County-City Building, at 10:00 a.m.
8. NEWS RELEASE. Mayor calls for Charter Vote on Rights for Gay Citizens.
No Comments

WEST HAYMARKET JOINT PUBLIC AGENCY
1. The West Haymarket Joint Public Agency will meet on Friday, June 1, 2012, 3:00 p.m., at 555 S. 10th Street, in Council Chambers. Agenda and attachments posted on line.
No Comments

III. DIRECTORS

COMMISSION ON HUMAN RIGHTS
1. Commission on Human Right meeting agenda for Thursday, May 31, 2012, at 555 S. 10th Street, Council Chambers, at 4:00 p.m.
No Comments

BUILDING AND SAFETY  Fred Hoke, Director; Roger Figard, City Engineer
Hoke stated they previously discussed bringing sidewalk inspections to Building and Safety. The inspectors are out so makes sense to do sidewalk inspections, on residential and commercial new construction, not repairs which will stay with Public Works. Public Works provided electronic levels of approximately 250 sidewalk inspections a year. We will blend in with field building inspectors. Camp
asked if these sidewalks mostly new residential, non commercial? Still measuring for compliance and if replacement needed? Figard replied the replacement items are part of the inspection for a new sidewalk. A contractor calls before the concrete is poured and an inspector sees if the right slope, elevation. The training program should have the Building and Safety inspectors adapt at knowing the right elevation, and if we need to deviate for obstacles. Camp inquired if this includes the ADA ramps? Figard replied yes.

Hornung stated we are becoming more efficient but not actually saving money or time, or is it the Public Works personnel now free to do more? Figard agreed. Cook said Public Works put in a sidewalk, but have to put in a new one in a new location. Now Building and Safety comes to inspect as it is a brand new sidewalk? Figard replied there wouldn’t be a permit required as part of a project. Our people build under contractors according to spec. Would be if the contractor/home builders are required to do. A sidewalk permit for a new sidewalk, residential or commercial. Cook asked what if someone chooses, despite being a City responsibility, to put in a new sidewalk, and we pay them back. Is it a new sidewalk? Figard replied no. Paying back for part would be in the repair program which Public Works manages. If you want to do and we reimburse part of it, or you wait for a district to come, will still do.

Carroll stated from a commercial and residential builder’s perspective this will save a lot of time because many times Building and Safety inspectors are on the job and we wait because there’s only one sidewalk inspector from Public Works. This it will speed up the process.

Cook asked if this is the only inspection moving at this time? Discussed right of way inspections, or responding to complaints of what should, or not be, in the right of way, still Public Works? Yes. Hoke stated this is a first step. Figard added there’s a lot in the right of way by City Charter, City Code, and the responsibility of the Director of Public Works and Utilities.

FINANCE/TREASURER
   No Comments

PARKS AND RECREATION - CENTENNIAL MALL  Lynn Johnson, Director
Johnson stated Council has received correspondence about access between the parking garages and State office building. A parking garage is immediately south of the State office building, and there was one east of the State office building, across Centennial Mall. The south location has a tunnel connection underneath M Street to Centennial Mall. There is handicap parking in both garages. The east garage had the question, and the challenge, of the handicap access ramp coming out mid block. When we fenced the block for construction staging people had to go down, around, a long ways. Worked with the contractor, the fencing contractor, and now have a chute. A fenced area coming from the parking garage east, directly into the State office building east entrance. Seems appreciated. Will work during this construction phase. The next construction phase funded and we’re ready to initiate. The entire block will be degraded, with new elevation, new east entrance to the State office building.

Johnson added another positive is a single point of contact with DAS, the Department of Administrative Services. Hopefully we’ll funnel questions/answers through one person, making sure we’re coordinated.

PLANNING COMMISSION
   No Comments
PLANNING DEPARTMENT
2. Letter in support of Waiver No. 12004, Bill #12R-97. Gratitude Bakery on Fairfax Street and North Cotner Boulevard:
   a) Marian L. Price;
   b) Donna Bolz; and
   c) Amanda Bragg.
No Comments

PUBLIC WORKS AND UTILITIES/ENGINEERING
1. ADVISORY. Storm sewer Project No. 705321. Northwest 4th and West Burt vicinity.
No Comments

URBAN DEVELOPMENT
1. Board of Equalization scheduled for June 4th canceled after discussing the South Street Maintenance Business Improvement District Special Assessment with the City Law Department.
No comments

University Place  David Landis, Urban Development Director
Landis stated the Department of Economic Development has a statewide report on Community Block Grant programs and projects, with a number of small awards, about 3 a year. This year one went to the University Place Organization for their Farmers Market, in it’s second year. Supported originally with a neighborhood grant from Urban Development. University Place was a state-wide winner of the Community Development Award from Governor Heineman.

IV. COUNCIL MEMBERS

JON CAMP
1. Nicholas B. Jasa. As a Stone Ridge resident oppose the Wal-Mart proposal for the corner of 27th and Grainger.
4. Kate Olson. Family upset at proposed Wal-Mart at entrance to Stone Ridge Estates neighborhood.
5. John Reilly. Not in neighborhoods best interest for a Wal-Mart at this location.
7. Travis J. Ehlers. Vehemently again the Wal-Mart proposed building backing up to Grainger Street.
10. Kirk Laughlin. Upset people should have know being zoned for Big Box type development. All right with Wal-Mart being built.
11. Steve Pirtle. Please stop the building of a Wal-Mart in our neighborhood. More appropriate properties to build on.
12. Julie Fosler. As resident of Stone Ridge Estates urging Councilman Camp to do all he can to stop the Wal-Mart from being built.
14. Heidi Shaddick. Moved into home one week ago. Truly disappointed in developments of a Wal-Mart being built in the lot which backs up to ours.
15. Mary Gansemer. Stone Ridge Estate resident and extremely opposed to building a Wal-Mart.
18. Cory and Diane Podany. Listing reasons why they are against a Wal-Mart store at 27th and Grainger.
No Comments

CARL ESKRIDGE
1. Letter from Nan Graf in favor of the Fairness Ordinance.
No Comments

V. MISCELLANEOUS

VI. CORRESPONDENCE FROM CITIZENS
1. Rev. Jeffrey Scheich. Mr. Confer in the wrong by not telling what the petitioners are doing wrong.
3. Jeni Zimmerman. Feel that 27th and Grainger is not the right place for a Wal-Mart and will fight it being built.
4. Delia Garcia. Example of type of frustrations expressed by homeowners over the decision to build a Wal-Mart at 27th and Grainger.
5. Chris Lief. Very disappointed by Ms. Svoboda at the City Council meeting.
6. Mary Reeves. Opposed to the change of zone proposed, #12010. Not a good policy to allow Walgreens to sell liquor near a school.
7. Correspondence from Shawn Koehler, Bayer CropScience, listing reasons why he’s displeased on having his parking ticket increase 250% because of the 7 day turnaround.
8. Bruce E. Gfeller. The citizens of Lincoln have the right to put ordinances passed by city government to a vote of the people. Writing as a private citizen.
9. Rick Becker. Support for continued development of bike lanes in the downtown area and trails.
10. Tim Yrastorza’s InterLinc correspondence. Extremely unhappy with recently passed ordinance for sexual orientation. Let the people of Lincoln decide this issue.
11. Bob Reeves. Do not approve Change of Zone No. 12010. Would open up the floodgates. Not necessary every drug store be allowed to sell alcohol.
13. InterLinc correspondence from Joseph Gourlay. In favor of the protected bike lanes, important to expand in the downtown area.
14. Vonn Roberts. Endorse the concept of the bike lane on N Street. Encourage it to go forward.
No Comments

VII. ADJOURNMENT
Chair Hornung adjourned the meeting at 2:37 p.m.