IN LIEU OF
DIRECTORS’ ORGANIZATIONAL MEETING
Monday, May 20, 2019

I. DIRECTORS CORRESPONDENCE
   PLANNING DEPARTMENT
   1. Administrative Approvals from May 7, 2019 through May 13, 2019
   2. Final Action dated May 15, 2019

   TRANSPORTATION & UTILITIES

II. CONSTITUENT CORRESPONDENCE
   1. Street name change Cattle Drive to Discovery Drive - Steve Cass, GM of NCEE Labs
   2. Proposed Rental Ordinance 19-52 - Sarah Wagelie
   3. Vacant Council Seat - Gail Peo
   4. Landscaping of commercial/non-profit properties - Joseph Wolfe
   5. Vacant Council Seat - Aurang Zeb
   6. Proposed Rental Ordinance 19-52 - Karen Lamb
   7. Proposed Rental Ordinance 19-52 - Sandy Ireland
   8. Proposed Rental Ordinance 19-52, opposition - Case Maranville
   9. Proposed Rental Ordinance 19-52 - Pat Anderson-Sifuentez
  10. Proposed Rental Ordinance 19-52 - Mary Reeves
Memorandum

Date: ✦ May 14, 2019
To: ✦ City Clerk
From: ✦ Teresa McKinstry, Planning Dept.
Re: ✦ Administrative Approvals
cc: ✦ Geri Rorabaugh, Planning Dept.

This is a list of City administrative approvals by the Planning Director from May 7, 2019 through May 13, 2019:

Administrative Amendment 19027 to Special Permit 08034, Whispering Meadows Community Unit Plan, approved by the Planning Director on May 2, 2019, to revise the lot layout south of the proposed West B St., generally located at West A St. and SW. 27th St.

Administrative Amendment 19022 to Use Permit 99B, Ridge Place, approved by the Planning Director on May 7, 2019, to revise the site plan to create commercial pad sites along S. 27th St. and Pine Lake Rd. and increase the floor area from 207,150 to 222,950 square feet, generally located at S. 27th St. and Pine Lake Rd.

Administrative Amendment 19003 to Use Permit 145B, Pine Lake Plaza Office Park, approved by the Planning Director on May 10, 2019, to revise the lot layout and floor area distribution for the area surrounding Plaza Court, generally located at S. 84th St. and Highway 2.

Administrative Amendment 19020 to Special Permit 872J, Firethorn Community Unit Plan, approved by the Planning Director on May 10, 2019, to revise the lot layout to convert 3 lots into 8 lots and change the dwelling type on from detached single-family to attached single-family, generally located at S. 91st St. and Van Dorn St.

Administrative Amendment 19030 to Special Permit 1847, Crown Castle Personal Wireless Facility, approved by the Planning Director on May 10, 2019, to delete the 15-year time limit on the approval of the special permit per Resolution PC-00608, generally located at 6000 A St.

Administrative Amendment 19010 to Change of Zone 17030A, Wandering Creek Planned Unit Development, approved by the Planning Director on May 13, 2019, to add grading and drainage information on the property at S. 90th Circle and S. 90th Bay, generally located at S. 91st St. and Van Dorn St.
**ACTION BY PLANNING COMMISSION**

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, May 15, 2019, at 1:00 p.m. in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

**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 15, 2019

[Commissioner Finnegan absent; Commissioner Edgerton arrived at 1:03 p.m.; Commissioner Corr left at 2:25 p.m.]

Approval of minutes of the regular meeting held May 1, 2019. **APPROVED: 6-0; (Commissioner Beckius abstained; Commissioners Edgerton and Finnegan absent)**

1. **CONSENT AGENDA**
   (Public Hearing and Administrative Action):

   ANNEXATION WITH RELATED ITEMS:

   1.1a Annexation 19003, to annex approximately 4.5 acres, more or less, on property generally located at 6301 North 7th Street.

   **Staff recommendation:** Conditional Approval
   Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov
   This application was removed from the Consent Agenda and had a separate public hearing. Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the conditions of the staff report dated May 9, 2019: 7-0 (Scheer declared a conflict of interest; Finnegan absent) Public hearing before the City Council is tentatively scheduled for Monday, June 10, 2019.
1.1b Change of Zone 19011, from AG (Agricultural District) to R-1 (Residential District), on property generally located at 6301 North 7th Street.

Staff recommendation: Approval
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov
This application was removed from the Consent Agenda and had a separate public hearing. Planning Commission recommendation: APPROVAL, as set forth in the conditions of the staff report dated May 9, 2019: 7-0 (Scheer declared a conflict of interest; Finnegan absent). Public hearing before the City Council is tentatively scheduled for Monday, June 10, 2019.

1.1c Waiver 19001, to waive the subdivision improvement requirements, on property generally located at 6301 North 7th Street. *** FINAL ACTION ***

Staff recommendation: Conditional Approval
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov
Planning Commission ‘final action’: CONDITIONAL APPROVAL, as set forth in the staff report dated May 9, 2019: 7-0 (Scheer declared a conflict of interest; Finnegan absent). Resolution No. PC-01647.

CHANGE OF ZONE WITH RELATED ITEMS:

1.2a Change of Zone 19009, from O-2 (Suburban Office District) to O-3 (Office Park District), on property generally located at 6900 L Street.

Staff recommendation: Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
Planning Commission recommendation: APPROVAL: 7-0 (Scheer and Finnegan absent). Public hearing before the City Council is tentatively scheduled for June 10, 2019.

1.2b Use Permit 33E, to add additional property and increase the total allowable commercial floor area from 155,000 square feet to 175,000 square feet within the Use Permit, on property generally located at 6900 L Street.

*** FINAL ACTION ***
Staff recommendation: Conditional Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
Planning Commission ‘final action’: CONDITIONAL APPROVAL, as set forth in the staff report dated May 2, 2019: 7-0 (Scheer and Finnegan absent). Resolution No. PC-01648.

1.3a Change of Zone 19010, from AG (Agricultural District) to AGR (Agricultural Residential District), on property generally located at 13200 West Bluff Road.

Staff recommendation: Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov
Planning Commission recommendation: APPROVAL: 7-0 (Scheer and Finnegan absent). Public hearing before the County Board is tentatively scheduled for May 28, 2019.
1.3b Special Permit 19018, to allow for the development of a CUP (Community Unit Plan) for 3 lots, on approximately 25.53 acres, more or less, with associated waivers, on property generally located at 13200 West Bluff Road.

*** FINAL ACTION ***

Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov
Planning Commission ‘final action’: CONDITIONAL APPROVAL, as set forth in the staff report dated May 1, 2019: 7-0 (Scheer and Finnegan absent). Resolution No. PC-01649.

SPECIAL PERMIT:

1.4 Special Permit 16020A, to amend Special Permit 16020 to allow for the renovation and expansion of a nonconforming church, including waivers to setbacks, on property generally located at 535 North 16th Street.

*** FINAL ACTION ***

Staff recommendation: Conditional Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
Planning Commission ‘final action’: CONDITIONAL APPROVAL, as set forth in the staff report dated May 2, 2019: 7-0 (Scheer and Finnegan absent). Resolution No. PC-01650.

1.5 Special Permit 19019, to allow for the reconstruction of an existing garage, on property generally located at 3335 Orchard Street.

*** FINAL ACTION ***

Staff recommendation: Conditional Approval
Staff Planner: Dessie Redmond, 402-441-6373, dredmond@lincoln.ne.gov
Planning Commission ‘final action’: CONDITIONAL APPROVAL, as set forth in the staff report dated May 7, 2019: 7-0 (Scheer and Finnegan absent). Resolution No. PC-01651.

2. REQUESTS FOR DEFERRAL:

2.1 Preliminary Plat 18002, to add 430 residential lots on approximately 152.1 acres, more or less, on property generally located at the SW corner of West Old Cheney Road and South Folsom Street.

*** FINAL ACTION ***

Staff recommendation: 2 week deferral
Staff Planner: Dessie Redmond, 402-441-6373, dredmond@lincoln.ne.gov
Planning Commission granted the applicant’s request for a 2-week deferral, with CONTINUED PUBLIC HEARING AND ACTION scheduled for May 29, 2019.

3. ITEMS REMOVED FROM CONSENT AGENDA: See Items 1.1a, 1.1b, and 1.1c.
4. **PUBLIC HEARING AND ADMINISTRATIVE ACTION:***

**ANNEXATION WITH RELATED ITEMS:**

4.1a Annexation 19004, to annex approximately 50 acres, more or less, and adjacent rights-of-way, for a residential development, on property generally located at the NE corner of South 84th Street and Rokeby Road.  
**Staff recommendation:** Conditional Approval  
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov  
Planning Commission recommendation: **CONDITIONAL APPROVAL,** as set forth in the conditions of the staff report dated May 1, 2019: **8-0** (Finnegan absent) Public hearing before the City Council is currently pending.

4.1b Change of Zone 19012, from AG (Agricultural District) to R-3 (Residential District) and R-5 (Residential District) for approximately 50 acres, on property generally located at the NE corner of South 84th Street and Rokeby Road.  
**Staff recommendation:** Approval  
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov  
Planning Commission recommendation: **APPROVAL:** **8-0** (Finnegan absent). Public hearing before the City Council is currently pending.

4.1c Special Permit 19021, to allow for a Community Unit Plan (CUP) over approximately 50 acres, for single-family dwelling units and multiple-family dwelling units, with waivers to increase the height requirement for multiple-family dwellings, and to exceed the maximum block length of 1,320 feet, on property generally located at the NE corner of South 84th Street and Rokeby Road.  
***FINAL ACTION***  
**Staff recommendation:** Conditional Approval  
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov  
Planning Commission ‘final action’: **CONDITIONAL APPROVAL,** as set forth in the amended staff report dated May 1, 2019, as offered by the applicant and agreed upon by staff: **7-0** (Corr and Finnegan absent). Resolution No. PC-01652.

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

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Adjournment 2:27 p.m.

PENDING LIST:  
Special Permit 18045, to allow for a County AG (Agricultural District) CUP (Community Unit Plan), consisting of 148.49 acres, more or less, for 9 single family acreage lots on property generally located at North 14th Street and Rock Creek Road.

Annexation No. 18003, to annex approximately 24.1 acres, more or less, on property generally located at 7420 Yankee Hill Road.
Change of Zone No. 18015, from AGR (Agricultural Residential District) to R-3 (Residential District), on property generally located at 7420 Yankee Hill Road.

Special Permit No. 18022, for a 55 lot CUP (Community Unit Plan), with waivers to allow sanitary sewer to flow opposite street grades, block length, pedestrian easements, lot lines radial to streets, 2 to 1 side slope for detention embankments, and sidewalks along one side of a street, on property generally located at 7420 Yankee Hill Road. *** FINAL ACTION ***
RSM US LLP has completed their audit of the Lincoln Water and Wastewater Systems for Fiscal Year 2017 - 2018. Copies of the reports are available at both the City Clerk’s office and City Council secretary’s office for your review. The reports are also available at:


Attached is the Post Audit Communication and Management letter. RSM US LLP stated in this report they note no matters involving the internal control over financial reporting and its operation that they would consider to be material weaknesses. The results of their tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.

Should you have any questions regarding the audit, please do not hesitate to contact me at 402-441-7539.
May 13, 2019

Kelly Van Duyn,
Exmark Mfg. Inc.
2101 Ashland Ave
Beatrice, NE 68310

Dear Mr. Van Duyn:

I am writing you to request that the city rename a section of Cattle Drive to Discovery Drive, extending from W. Highland Blvd to the intersection of Cattle Drive and Research Drive.

The proposed request would be consistent with past City of Lincoln practice of having a street name change occur at an intersection. This proposal would allow NCEE to retain its original address, under which it has operated for the past 19 years, without impacting the Cattlemen’s current address.

As you represent a high technology Nebraska manufacturer we would like to include your support in the application we are preparing to send to the Lincoln Planning Department. Toward this, would you sign and date the statement below so we can include it in our application?

Sincerely,

[Signature]

Steve Cass
General Manager of NCEE Labs
4740 Discovery Drive
Lincoln, NE 68521
402-323-6233

I support the NCEE Labs proposal to rename a portion of Cattle Drive back to Discovery Drive.

Date: 13 May 2019

Signature: Kelly Van Duyn, Exmark Mfg. Inc.
Dear Council Member,

My name is Sarah Wagelie and I live at 5125 Huntington Ave #1. Please support housing safety by voting for Ordinance 19-52. Your vote on this issue will be greatly appreciated by Lincoln voters affected by this problem. This is an incredibly small step we can take to start addressing housing safety and empower tenants, and will go a long way in ensuring housing safety and affordability in this city. I love living in Lincoln and I’m proud of the progress we are making in these areas, and this seems like a no-brainer to me. Thank you!

Sincerely,

Sarah Wagelie
May 14, 2019

Lincoln City Council
555 S. 10th Street
Lincoln, Ne. 68508

To: Lincoln City Council

I am submitting my name as a candidate for the opening on the City Council caused by the election of Leiron Gaylor Baird as Mayor and her resulting resignation from the City Council. I am not willing to condition my election on the promise that in the future I would run for re-election. But, also I am not closing the door on that possibility.

Having been employed in the Lincoln City Attorney’s Office for over 39 years, 17-18 of which were as Chief Assistant City Attorney, I became very familiar with Council procedures and the types of matters appearing on the Council agenda for approval by ordinance or resolution. I am confident I can immediately step in and be a productive member if elected by you. I am currently retired so I have ample time to serve in this capacity. Furthermore after almost two years sitting on the retirement sidelines I am anxious to return to public service.

Based upon Riley Johnson’s article in the May 10, 2019, Lincoln Journal Star “Dems ponder best way to fill seat”, I may have an impossibly high hurdle to jump to get your support for this Council position. Most troubling is the statement “Members of the newly elected Lincoln City Council agree that the appointee to fill Mayor-elect Leiron Gaylor Baird’s seat should be a Democrat…” I hope that is not true as that premise flies in the face of the City Charter requirement for nonpartisan elections. I believe the idea behind the requirement that City Council members be elected on a nonpartisan basis is to foster the election of each individual Council member based upon his or her merits as opposed to a particular party label. The absence of the party label is intended to empower the elected council member to pursue policy in the public interest rather than his or her party’s interest.

As for myself I switched my party registration from Democrat to Republican in the 1980’s. However, I have never just voted the “party line” whether I was a Republican or Democrat. Neither party’s platform fully expresses my ideology. At this stage in my life, I see myself falling somewhere along the lines of a liberal Republican or conservative Democrat. While fiscal responsibility is a must, I believe good government is more than just providing fire, and police protection and adequate infrastructure. If elected I would work to foster more nonpartisan relationship among Council members.

Please let me know if you have any concerns or questions for me and I will try to address them. Thank you for your consideration.

Respectfully,

Ernest R. Peo III (aka/ Rick Peo )
1429 Imperial Drive
Lincoln, Ne. 68506
grpeo54@gmail.com
402-488-0616
Hello friends,

I'm writing today to propose that our city consider new rules for developers pertaining to the landscaping of commercial/non-profit properties with more native vegetation/grasses.

I note that turf grass is the predominant feature of most planned landscapes, which requires an endless cycle of inputs (fertilizer, herbicide, occasional insecticide/fungicide) to maintain its appearance. These inputs all leach and run off into our surface waters and contribute to the algae blooms we all see every summer in every pond and lake in the city of Lincoln and contribute to river, creek, and wider watershed pollution. In addition, turf grass maintenance requires incredible amounts of water.

Native grasses like little bluestem, sideoats gramma, and many others require little water and no inputs. In addition, their deeper, more robust roots and provide superior erosion control.

All that said, I wonder why we do not require that some percentage of the space developers would otherwise be required to landscape include some minimum percentage of native grass or other native vegetation.

I understand that people love the appearance of perfect green grass, but times are changing, and we need to consider more responsible ways to maintain the beauty of our city, and this includes redefining our standards to reduce/minimize the blanket application of turf grass, which provides little benefit beyond aesthetics.

I'd appreciate hearing your thoughts on this matter.

Joey Wolfe
From: Aurang Zeb <zebairport@gmail.com>
Sent: Tuesday, May 14, 2019 7:57 PM
To: Council Packet
Subject: Nomination for the city Council Large Seat

Dated: 05/14/2019

To,

City Council,

I am writing to ask for your support in my nomination for the City Council Large Seat (Leirion Gaylor Baird). I believe I am a strong candidate for this position. There is a need of someone who will do his best for the welfare of each of us and the community in general. As an active member of our community, I believe I possess the necessary skills and qualifications for this position. I have great leadership and motivational skills that are essential for this position. I wish to thank you in advance for your time and consideration.

Sincerely,

Aurang Zeb.

1216 S16th Street

Lincoln, NE 68502

402-304-8206
Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Thursday, May 16, 2019 10:34 AM
To: Cyndi Lamm; Jon Camp; Jane Raybould; Carl B. Eskridge; Leirion Gaylor Baird; Roy A. Christensen; Bennie R. Shobe
Subject: InterLinc - Contact

City Council - Contact
Date : 5/16/2019 10:33:48 AM

name Karen Lamb
address 4901 NW Fairway Dr
   city Lincoln
state NE
   zip 68521
email klamb45@hotmail.com
comments Vote Yes! Because it's a step in the right direction. Everyone deserves a safe place to live and should not fear retribution for speaking up about bad conditions.

IP: 174.217.7.15
Form: https://lincoln.ne.gov/city/council/contact.htm
User Agent: Mozilla/5.0 (Linux; Android 8.0.0; XT1635-01 Build/ODN27.76-12-30-8-1; wv) AppleWebKit/537.36 (KHTML, like Gecko) Version/4.0 Chrome/71.0.3578.83 Mobile Safari/537.36 [FB_IAB/FB4A;FBAV/200.0.0.50.194;]
May 16, 2019

Real Estate Owners and Managers Association (REOMA)
Lincoln Nebraska

Dear City Council member,

With regards to the proposed city ordinance to register single family and duplex rentals in Lincoln, we have already expressed our position that the ordinance as proposed is not able to address the actual concerns of the tenant advocacy groups which support it. We met last night with Shawn Ryba, Isabel Salas and Jon Carlson (others were invited but were unable to attend) in order to discuss the proposal and what changes would make it able to address the issues as described by Shawn and Isabel. Certainly, there is a part of the proposal (such as certain changes to the “triggers to inspect”) which may be acceptable to our organization and possibly other industry groups such as the Realtor’s Association of Lincoln and LIBA for example. But we agreed last night on some important points which we would like you to consider seriously.

Number one is that there is a problem with some number of rental units in Lincoln where the tenants are being mistreated by the owner. The actual number and which specific units are yet to be determined.

Number two is that Shawn and Isabel agree that a task force should be formed with representatives from us and other industry groups along with representatives from the various tenant advocacy groups. This task force should identify strategies to take real and specific actions to solve the problems that certain tenants face. These could include tenant and landlord education outreach, identifying dangerous living situations, helping landlords to do right by their tenants, helping tenants to communicate their concerns to landlords and to others if necessary and other actions to improve living conditions for all who don’t have safe housing.

We are asking you to delay voting on this ordinance as written or even tweaked and let us create a task force of people who agree that we must work together and can find a real and lasting solution that actually solves the problem. It will take time and can’t be done by Monday. Please delay the vote and know that we can work together to make Lincoln even better by cooperating and leaving politics out of it.

Sincerely,

Sandy Ireland
REOMA President
Hello Councilman Camp!

My name is Case Maranville. My brother Cole and I live and work in Lincoln. We are Lincoln natives and graduates of Lincoln Northeast Highschool and the University of Nebraska-Lincoln. We own and operate 58 buildings with 375 apartment units in the Near South neighborhood. We are owner-managers and are considered good landlords. 2019 is our 10th year of doing business and we love it. I am writing you today to express our concern regarding the unnecessary and burdensome ordinance that will be voted on by the City Council on Monday to expand the City’s oversight of apartment buildings, duplexes, and rental houses beyond the required Certificate of Compliance required by the city currently to operate multi-family housing. This ordinance is extravagant and unfairly targets landlords, will further burden tax payers with additional City personnel requirements, and ultimately undermines the role of the local government in fair commerce. It is full of red tape. We are vehemently opposed and hope you will vote against this ordinance on Monday. At the end of the day, if a landlord operates a poor property, the tenant has other means to enact changes in the rental agreement including complaints to the Health Department and/or Building and Safety. Annual unit (not building) checks are a nightmare for landlords and City staff. Please vote to let the free market dictate this arena. Vote against the ordinance this coming Monday.

Best regards,

Case and Cole Maranville

Maranville Properties LLC
Maranville Enterprises LLC
Maranville Investments LLC
Summit Management Group LLC
Near South Properties LLC
Angela M. Birkett

From: Pat Anderson <panderson@nwlincoln.org>
Sent: Wednesday, May 15, 2019 3:57 PM
To: Council Packet
Subject: Rental ordinance

Dear City Council,
I'm sure you have a plethora of suggestions for the rental ordinance. I'd like to offer a few more after discussion with the South of Downtown Affordable housing committee and Lincoln Neighborhoods United.

- mandate education for problem landlords
- offer landlord training - Cpt. Morrow said she'd take this on with partners like REOMA, NeighborWorks, Building & Safety, Health Dept... REOMA used to do trainings - in fact I helped organize a few. LPD also used to conduct a 'Crime free Multi-Family Housing' training. I have worked with LPD, Jon Carlson and the landlords in south downtown (mostly Everett) for 10 years, offering resources & providing a time to discuss problems. I would be glad to assist with this.
- a landlord serving on the South of Downtown Affordable Housing committee agreed to a 'trigger' of 3 code violations to spur a whole building inspection would be acceptable. (not sure about others but it's a compromise)
- the tenant mailing in the event of a whole building inspection could be mailed to 'occupant' rather than landlords supplying names.

If you don't think we have a problem with rentals, I am happy to take you on a walk!

--
Pat Anderson-Sifuentes
Community Engagement
NeighborWorks Lincoln
2530 Q Street
Lincoln, NE 68503
402-477-7181, ext. 106
panderson@nwlincoln.org
www.nwlincoln.org

NeighborWorks Lincoln's mission is to keep Lincoln a safe and prosperous community by revitalizing neighborhoods and promoting homeownership
Council Members,

I would like to encourage you to pass the requirements for all landlord's to be licensed. This will benefit everyone, especially in emergencies as there will be a way to contact landlords. I also hope that the license will include a name of a local person to contact in an emergency.

Thank you for your consideration and authorization of this housing ordinance.

Mary Reeves

3236 Dudley St Lincoln, NE 68503
reevesmary34@gmail.com