

DIRECTORS' MEETING
MONDAY, MARCH 3, 2014
555 S. 10TH STREET
BILL LUXFORD STUDIO
2:00 P.M.

I. CITY CLERK

II. MAYOR

1. NEWS ADVISORY. Open house set for improvement to Airport entryway corridor.
2. NEWS ADVISORY. The Joint Antelope Valley Partners (City of Lincoln, UNL, and the Lower Platte South NRD) will discuss another reduction in the floodplain at a news conference at 10 a.m. on Thursday, February 27th at the Jayne Snyder Trail Center, 21st and Q Streets.
3. Approved Administrative Regulation #19.
4. NEWS RELEASE. FEMA approves another floodplain reduction.
5. NEWS RELEASE. Illegal youth tobacco sales rise in 2013.

III. DIRECTORS CORRESPONDENCE

FINANCE/TREASURER

1. Monthly City Cash Report at the close of business January 31, 2014.

PLANNING COMMISSION

1. Planning Commission 2013 Annual Report.

PLANNING DEPARTMENT

1. Administrative Amendment No. 14003 approved by the Planning Director on February 21, 2014.

PUBLIC WORKS & UTILITIES/ENGINEERING

1. ADVISORY. P Street Streetscape. 11th Street - Centennial Mall. City Project No. 2013001/T.C. #701136.

URBAN DEVELOPMENT

1. Federal Aid Project, West "O" Street Historic Highway Project memo from Urban Development: Ernie Castillo, Community Development Program Specialist and Dave Landis, Urban Development Director.
2. Memo from Clinton Thomas, Housing Rehab and Real Estate Division, regarding Street and Alley Vacation No. 14001. Alley behind 1421 P Street.

IV. COUNCIL MEMBERS

JON CAMP

1. Scott Bourn regarding unmarked intersection. Possibly mark the intersection to avoid traffic accidents. (Sent to Public Works on 02.25.14)
2. Gayle Norris writing in opposition to the Grand Theater proposed liquor license, listing reasons.
3. Bob Lewis writing regarding the seven plus acres owned by Pine Lake Development.
4. Nick Cusick on the Livingston and Broadmoor investments suggesting possible methods to reduce traffic related risk.

V. CORRESPONDENCE FROM CITIZENS

1. Steve Thiellen phone message. Do not understand why people need to drink for the two hours of being in the theater. Absolutely not needed, plenty of places to go and drink. Will not enjoy a movie with noisy drinkers.
2. Ed and Joan Malk on their Pine Lake concerns for Broadmoor proposed development in the Pine Lake Area. (Distributed to Council Members before meeting on 02.24.14)
3. Barbara Seglin letter. Do not approve the rezoning and special use permit for the Broadmoor Development. The proposed development would pose a danger to residents, and children, at Pine Lake. (Each Council Member received letter)
4. Linda Pappas explaining the difficulty of leaving subdivision, possibly consider a stop light.
5. Robert Citta stating his experience at the Lied Center where alcohol allowed in the seating area.
6. Linda Sundberg letter opposing the Grand theater to allow alcohol in the theater.

PUBLIC WORKS AND UTILITIES DEPARTMENT

Engineering Services, 949 W. Bond Street, Suite 200, Lincoln, NE 68521, 402-441-7711

FOR IMMEDIATE RELEASE: February 25, 2014

FOR MORE INFORMATION: Erika Nunes, Engineering Services, 402-441-7711
Mark Lutjeharms, Schemmer, 402-488-2500

**OPEN HOUSE SET FOR IMPROVEMENTS
TO AIRPORT ENTRYWAY CORRIDOR**

The public is invited to an open house from 4:30 to 6:30 p.m. Tuesday, March 4 on improvements to the Lincoln Airport Entryway Corridor. The project includes parts of West Adams Street, N.W. 12th Street, Cornhusker Highway and the area of 9th and 10th streets at "S" Street. The open house will be held at Country Inn and Suites, 1301 W. Bond Circle. Signs will be posted to provide directions to the meeting location.

Construction is scheduled to begin in mid-March. The project includes repair and resurfacing of the existing pavement, new curb construction, new storm drainage inlet tops and new wheel chair ramps. Streetscape enhancements such as district markers, pole-mounted banners, trees, median plantings and irrigation also will be included.

The open house will give participants the opportunity to view the current plans and construction schedule, as well as speak with the design team and construction contractor.

Those who have questions prior to the meeting or who are unable to attend, may contact either Erika Nunes, City of Lincoln, at 402-441-7711 or Mark Lutjeharms, Schemmer, at 402-488-2500. More information on City street projects can be found at lincoln.ne.gov (keyword: projects).

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ACCOMMODATION NOTICE

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 402-441-7511

DATE: February 26, 2014

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 402-441-7831

The Joint Antelope Valley Partners (City of Lincoln, UNL and the Lower Platte South NRD) will discuss another reduction in the floodplain at a news conference at **10 a.m. Thursday, February 27 at the Jayne Snyder Trail Center, 21st and “Q” streets.**

SUBJECT: WORKERS' COMPENSATION POLICY	EFFECTIVE DATE: 2/18/2014	A.R. No.19
APPLIES TO: ALL DEPARTMENTS	SUPERSEDES: AR-19 of 9/1/2010	PAGE <u> 1 </u> OF <u> 4 </u>

PURPOSE:**INFORMATION REGARDING WORK-RELATED INJURIES FOR ALL CITY OF LINCOLN EMPLOYEES:**

To insure fair, equitable and consistent treatment of all injured city employees, the Risk Management Division complies with the Nebraska Workers' Compensation Act, Union Bargaining Agreements, City Personnel Policies, Nebraska Workers' Compensation Court Rules, City Ordinances and other applicable policies.

Questions may arise when a city employee has a work related injury. The following information serves as a guideline for answering questions.

POLICY:**1. WORKERS' COMPENSATION BENEFITS – DEFINED**

Workers' Compensation is designed to provide benefits to eligible employees who sustain an on the job injury by accident, or occupational disease arising out of and in the course of their employment, and who are not willfully negligent at the time of the injury. Workers' Compensation benefits are required by Nebraska Law and the City of Lincoln is self insured for this required benefit.

2. YOUR REPORTING REQUIREMENTS

An employee shall notify his/her supervisor immediately of any work-related injury or occupational disease by submitting the state Report of Alleged On The Job Injury or Illness form, a City of Lincoln Employee Injury or Illness Report form, and an Employee's Choice Or Change of Physician form, to Risk Management.

Your notice may be sent by any of these approved methods:

- 1) Fill in the PDF claims file at <http://lincoln.ne.gov/city/person/risk/forms/compclaimforms.pdf> and hit submit, or scan and email to risk@lincoln.ne.gov
- 2) Complete your report and mail to Risk Management at 555 S. 10th Street, Suite 302, Lincoln, NE 68508; or
- 3) Complete and send by interoffice mail, or by fax to Risk Management at (402) 441-6800.

For employees who are off work, medical information must be provided to Risk Management stating why the employee is unable to perform normal work duties. After each doctor's visit, a note from the doctor is required indicating if it is medically necessary for the employee to remain off work. While the employee is under physical therapy, chiropractic or other medical care, a note is needed after every appointment from the medical provider indicating if the employee is to remain off work.

3. RECEIVING WORKERS' COMPENSATION BENEFITS

The Nebraska Workers' Compensation Act applies to every public and private employer in the state of Nebraska employing one or more employees in a regular trade, business, profession, or vocation. Thus, most employees are covered by the Workers' Compensation Act, with only a few exceptions. Please note, that unpaid volunteers, independent contractors or appointed members of any Board or Commission are not eligible for Workers' Compensation benefits.

4. INJURY LEAVE BENEFITS

Injury leave is a benefit provided by the City of Lincoln to eligible employees who are off work for a compensable injury. Employees are eligible to receive their full salary, for up to a maximum of six consecutive calendar months from the date of injury. Police and Fire union employees will receive a maximum of up to either six or twelve consecutive calendar months of benefits from the date of injury, depending upon the pension plan chosen. Under 'Plan A', employees will be eligible for

up to six months of injury leave benefits. Under other police and fire pension plans, they are eligible for up to twelve months of injury leave benefits.

The Risk Management Division will investigate claims to determine compensability. During this investigation, employees may elect to use other leave options such as sick, vacation or FMLA leave. If the claim is later approved by the Risk Management Division, the department will be notified to convert the selected leave to injury leave hours.

Injury leave benefits, per LMC 2.76.390, are affected and reduced by having a Second Injury in a contract year. For employees subject to the LCEA, M Class, IAFF, LPU, and PAGE bargaining agreements and having a second injury during one contract year, the period of eligibility shall be deemed to commence on the seventh (7) day from the date when the employee incurred such injury. Before an employee may receive injury leave benefits for a second injury, an investigation of the new claim must be completed, and the injury determined to be compensable. However, if there was no lost time with the first injury, and the second injury is approved, then injury leave is effective immediately.

5. PAYMENT OF WORKERS' COMPENSATION BENEFITS

Two thirds (2/3) of injury leave benefits are considered to be the state temporary total disability (TTD) payment, up to a maximum weekly amount allowed by state law. TTD benefits are not taxable. Anyone with a work related injury who has missed time from work for such injury, will be coded by the department as being on "injury leave". The Risk Management Division will determine how much of this amount is considered Workers' Compensation benefits. A separate check for Workers' Compensation payments will be given to the injured employee along with a paycheck for the remaining portion. All injury leave payments will be deemed to be payment of all imposed benefits pursuant to the Workers' Compensation Act of the State of Nebraska.

The Mayor, City Council Members and other city officials who are elected or appointed to public office are not eligible to receive injury leave benefits but are eligible to receive Workers' Compensation benefits. Injury leave benefits also do not apply to seasonal workers or to ATU employees. Per union bargaining agreement, ATU employees will receive Workers' Compensation benefits as set forth by the Nebraska Workers' Compensation Act.

6. WORKERS' COMPENSATION BENEFITS AFTER INJURY LEAVE EXPIRES

For employees who are unrepresented or subject to the LCEA, M Class and PAGE union bargaining agreements, injury leave expires six calendar months after the injury date. The employee is then eligible to receive Workers' Compensation benefits, if applicable. These include temporary total disability benefits (TTD) or temporary partial disability benefits (TPD). If an employee chooses to do so, they may supplement these benefits with vacation or sick leave, so that it equals the employee's regular salary for the pay period, except as otherwise set forth herein, in applicable union contracts, or ordinances.

IAFF and LPU Union employees in the 'Plan A' pension are eligible for up to a maximum of six months of injury leave. Police IAFF and LPU employees in all other pension plans are eligible for up to a maximum of twelve months of injury leave but are not allowed to use sick leave to supplement their salary. However, both may use vacation leave to supplement the amount of TTD or TPD benefits to equal their regular salary.

Employees subject to bargaining agreements should refer to their current contract to determine the maximum duration of injury leave and/or temporary modified work.

7. MODIFIED DUTY WORK

Until an injured employee is permitted by their physician to return to full duty work, each department as an interim step, will attempt to provide all status and probationary employees with modified duty work. An employee will need medical documentation to show that they are unable to perform their full job duties but are able to work modified duty. To qualify for a modified duty assignment, the treating physician should be contacted and authorize the modified duty work.

The maximum amount of recovery time (injury leave and modified duty work) shall not exceed 12 calendar months from the date of injury. If an employee has not yet returned to full duty work within 12 months from the date of injury, the treating physician will be contacted to determine if the employee can perform the essential functions of their job description. If the physician states that the employee cannot perform the essential functions of their job description, the employee will be notified that their employment is in danger of termination unless they are able to return to full duty work within a reasonable,

limited time period, or they apply for and are accepted for another open position within the City of Lincoln, that meets their physical restrictions.

8. WHEN NO MODIFIED DUTY WORK IS AVAILABLE

If the employee is restricted from working full duty, and the department does not have modified duty work available, the employee will be eligible to remain on injury leave benefits in accordance with applicable bargaining agreements for the six or twelve month period, with temporary total disability benefits provided thereafter. When released without restrictions, the employee will resume their full job duties.

9. PRIORITY GIVEN TO “ON DUTY” INJURIES

Circumstances may sometimes arise where two or more people from the same department/division are disabled at the same time involving both on-the-job and off-the-job injuries. The department/division should try to provide all status and probationary employees with the opportunity to work modified duty. However, if there are not enough positions available, the employee with an on-the-job injury shall be given priority over an employee with an off-the-job injury.

10. HOW INJURY LEAVE AFFECTS OTHER EMPLOYEE BENEFITS

Employees subject to bargaining agreements should refer to their current contract to determine the affect on other employee benefits. Unrepresented employees should refer to LMC 2.76.390. No taxes or contributions will be withheld from the Workers’ Compensation portion of injury leave.

11. PAYMENTS YOU ARE RESPONSIBLE FOR

An employee who is receiving temporary total disability (TTD) benefits and has been approved by their department for leave without pay, may also receive various benefits of health insurance, etc. It will be necessary for the employee to pay the appropriate share of their elective deductions to the City Payroll Supervisor in the Finance Department.

12. HOLIDAY PAY

If a holiday occurs during the time period injury leave is being paid, holiday hours are paid in lieu of injury leave hours.

If Workers’ Compensation benefits are being paid, and the employee has chosen to supplement for 1/3 of their normal salary, the employee must be in an approved pay status for 1/3 of their normally scheduled day before, and 1/3 of their normally scheduled day after the holiday to be eligible for holiday pay. If all conditions are met, the employee will receive 1/3 of their scheduled day in holiday pay . If all conditions are not met, or if the employee is not supplementing their normal salary, no holiday pay will be due the employee.

13. OVERTIME PAY

Employees are not eligible for overtime pay while receiving Workers’ Compensation or injury leave benefits.

14. FAMILY MEDICAL LEAVE ACT (FMLA) BENEFITS

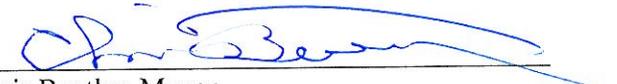
An employee who is receiving injury leave benefits is considered to be in a paid leave status and therefore these benefits will not count toward their FMLA entitlement of 480 hours. For additional information, please refer to Personnel Policy Bulletin 2009-1, Family and Medical Leave Act of 1993 (FMLA) and 29 CFR part 825.

By the Human Resources Department/Risk Management Division

Approved:



Doug McDaniel, Human Resources Director



Chris Beutler, Mayor



For immediate release February 27, 2014

For more information, contact:

- Diane Gonzolas, City of Lincoln, 402-441-7831
- Meg Lauerman, University of Nebraska-Lincoln, 402-472-0088
- Mike Mascoe, Lower Platte South NRD, 402-476-2729

FEMA APPROVES ANOTHER FLOODPLAIN REDUCTION

More than 1,000 structures now out of floodplain

Mayor Chris Beutler today announced that the Antelope Creek regulatory floodplain from Holmes Lake to “A” Street will now be mostly contained in the channel. The floodplain was about 800 feet wide. The Federal Emergency Management Agency (FEMA) has approved a floodplain map change, which means about 120 acres and more than 430 structures will no longer be in the floodplain, and flood insurance will no longer be required for structures in the area.

The change is a result of several projects between 27th Street and Scott Avenue to increase bridge and channel capacity. These were local follow-up projects designed to take advantage of the increased channel capacity resulting from the Antelope Valley Project. That flood reduction project included the construction of an open channel from Salt Creek Roadway to “J” Street. The U.S. Army Corps of Engineers completed the channel construction in 2010. That same year, FEMA approved a floodplain map change that removed about 450 acres and more than 570 structures from the floodplain in the project area north of “A” Street.

“Our community continues to see the benefits of this major infrastructure project,” said Mayor Chris Beutler. “With the two map changes, more than 1,000 structures are now out of the floodplain. The total savings in reduced flood insurance premiums is estimated to be more than \$700,000 a year for property owners. The Antelope Valley Project is a great example of how infrastructure improvements can benefit many future generations.”

Mayor Beutler thanked the City’s Joint Antelope Valley Authority (JAVA) partners - the University of Nebraska - Lincoln and the Lower Platte South Natural Resources District (LPSNRD). The Antelope Valley Project, which also includes traffic improvements and community revitalization efforts, has been funded with City, State, LPSNRD and federal funds.

The effective date of the new floodplain map is June 27, 2014. FEMA posted a legal notice in the *Lincoln Journal Star* February 20, and a 90-day comment period will follow the second posting on February 27. During that time, the public can request that FEMA reconsider the base flood elevations based on scientific or technical data. The comment period ends May 28, 2014.

- more -

Floodplain Reduced
February 27, 2014
Page Two

Antelope Valley traffic improvements include construction of 12 bridges and about six miles of roadway, including the “Big X” elevated intersection near the Devaney Sports Center. In addition to Union Plaza, revitalization efforts include construction of the new \$50 million Assurity Life Insurance headquarters; several new housing projects; and infrastructure improvements in the residential neighborhoods. Antelope Valley is envisioned as a research and development corridor anchored by Innovation Campus to the north.

The revised base flood elevations, revised map and letter from FEMA are available at lincoln.ne.gov (keyword: watershed) under “featured pages.” More information on the Antelope Valley Project is available at lincoln.ne.gov (keyword: antelope).

LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
3140 "N" Street, Lincoln, NE 68510, 402-441-8000

FOR IMMEDIATE RELEASE: February 27, 2014

FOR MORE INFORMATION: Brian Baker, Health Department, 402-441-8046

Captain Joy Citta, Lincoln Police Department, 402-441-7239

ILLEGAL YOUTH TOBACCO SALES RISE IN 2013

The percentage of businesses that sold tobacco to minors during compliance checks increased from 7.6 percent in 2012 to 12.6 percent in 2013. The compliance checks are conducted by the Lincoln Police Department (LPD) and the Lincoln-Lancaster County Health Department (LLCHD) using youth volunteers. Of the 333 attempts by minors to purchase tobacco products, 42 resulted in a sale.

Brian Baker, LLCHD Public Health Educator, said national research indicates that when communities consistently conduct compliance checks and keep the sale rate below 10 percent, children in those communities are less likely to use tobacco products.

"According to the Lancaster County Youth Risk Behavior Survey, youth who smoked cigarettes in the last 30 days decreased from 16.4 percent in 2011 to 14.5 percent in 2013," said Baker. "While youth tobacco use is on a downward trend, the goal is that all youth avoid tobacco use."

Tobacco Free Lancaster County is a joint effort that focuses on keeping youth from starting to use tobacco, reducing access to tobacco products and eliminating exposure to secondhand smoke. The program is funded by the Tobacco Free Nebraska Program of the State Department of Health and Human Services as a result of the tobacco master settlement agreement.

"The partnership with the Health Department allows us to monitor illegal tobacco sales to minors and ensure that retail clerks making illegal transactions are held accountable," said LPD Captain Joy Citta.

Locations with more than one sale of tobacco to a minor during 2013:

- Wicked Smoke, 1603 West "O" St.
- Mobile On the Go, 5240 South 48th St.
- C-Station, 1120 S. Coddington Ave.

Other Lincoln retailers that sold tobacco products to minors in 2013:

- 27th Smoke Shop, 611 N. 27th St.
- "A" Street Market, 3308 "A" St.
- A's Stop & Shop, 1301 N. 27th St.
- Brick House, 125 West "O" St.
- Casey's, 1001 S. 13th St.; 1445 S. 17th St.; 2243 N. Cotner Blvd.; 4135 S. 48th St.; and 606 West "A" St.

-more-

Youth Tobacco Sales Compliance
February 27, 2014
Page Two

- EZ-Go, 2555 “O” St.
- Fast Mart, 6835 N. 27th St.
- HyVee, 5020 N. 27th St.
- Jo Bob’s, 1075 N. 33rd St.
- Kwik Shop, 2811 N. 48th St. and 4750 Calvert St.
- Lobo’s City Mex, 338 N. 27th St.
- Mills Squeegee, 4455 S. 70th St.
- Roc’s Stop & Shop, 1449 N. 56th St.
- Save Best, 1111 N. 27th St.
- Shell Food Mart, 2641 Fairfield St. and 6006 Havelock Ave.
- Shoemaker’s South, 151 S.W. 48th St.
- Smoker’s Corner, 1440 S. 17th St.
- Stop N Shop, 5640 S. 16th St.
- Super C, 3202 S. 10th St. and 745 S. 21st St.
- Super Saver, 233 N. 48th St. and 2662 Cornhusker Hwy.
- U-Stop, 110 “O” St.; 2000 West “O” St.; 2140 “K” St.; 2700 Porter Ridge Rd.; 3280 Superior St.; and 7100 Pioneers Blvd.
- Walgreen’s, 1401 Superior St. and 7045 “O” St.

More information on LLCHD’s tobacco education and prevention efforts is available at lincoln.ne.gov (keyword: hpo).

OFFICE OF TREASURER, CITY OF LINCOLN, NEBRASKA

February 26, 2014

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 January 31, 2014

Balance Forward	\$	291,943,111.25
Plus Total Debits January 1-31, 2014	\$	39,198,664.55
Less Total Credits January 1-31, 2014	\$	(32,446,933.03)
Cash Balance on January 31, 2014	\$	298,694,842.77

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.

U. S. Bank Nebraska, N.A.	\$	1,911,850.94
Wells Fargo Bank	\$	(136,624.93)
Wells Fargo Bank Credit Card Account	\$	23,851.71
Cornhusker Bank	\$	60,637.92
First Nebraska Bank	\$	8,206.56
Pinnacle Bank	\$	69,057.30
Union Bank & Trust Company	\$	85,526.56
West Gate Bank	\$	23,992.33
Idle Funds - Short-Term Pool	\$	96,713,252.74
Idle Funds - Medium-Term Pool	\$	199,908,761.63
Cash, Checks and Warrants	\$	26,330.01
Total Cash on Hand January 31, 2014	\$	298,694,842.77

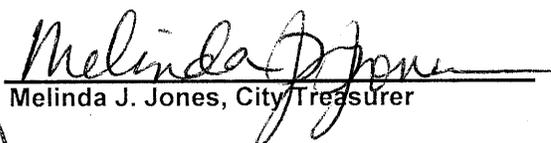
The negative bank balances shown above do not represent the City as overdrawn in these bank accounts. In order to maximize interest earned on all City funds, deposits have been invested prior to the Departments' notification to the City Treasurer's office of these deposits; therefore, these deposits 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 \$85,134,926.37 representing authorized investments of the City's funds.

ATTEST:


Teresa J. Meier, City Clerk




Melinda J. Jones, City Treasurer

**CITY OF LINCOLN - PLEDGED COLLATERAL STATEMENT
AS OF JANUARY 31, 2014**

DESCRIPTION	CUSIP	MATURITY DATE	ORIGINAL FACE	CURRENT PAR	MARKET PRICE	MARKET VALUE
FHLMC REMIC 2776 CG 15DD	31394WJC3	04/15/2019	\$500,000.00	\$500,000.00		
FHLB STEP-UP	313379VC0	06/27/2019	\$1,000,000.00	\$1,000,000.00		
FHLB 5.0	313372HX5	02/18/2021	\$500,000.00	\$500,000.00		
FHLB STEP-UP .8	313382EA7	03/20/2018	\$500,000.00	\$500,000.00		
CORNHUSKER BANK		TOTAL PLEDGED	\$2,500,000.00	\$2,500,000.00		
FNMAU	3136FTS83	02/28/2017	\$500,000.00	\$500,000.00		
UNION BANK AND TRUST		TOTAL PLEDGED	\$500,000.00	\$500,000.00		
FHLB LOC #514319			\$7,500,000.00			\$7,500,000.00
USBANK		TOTAL PLEDGED	\$7,500,000.00	\$0.00		\$7,500,000.00

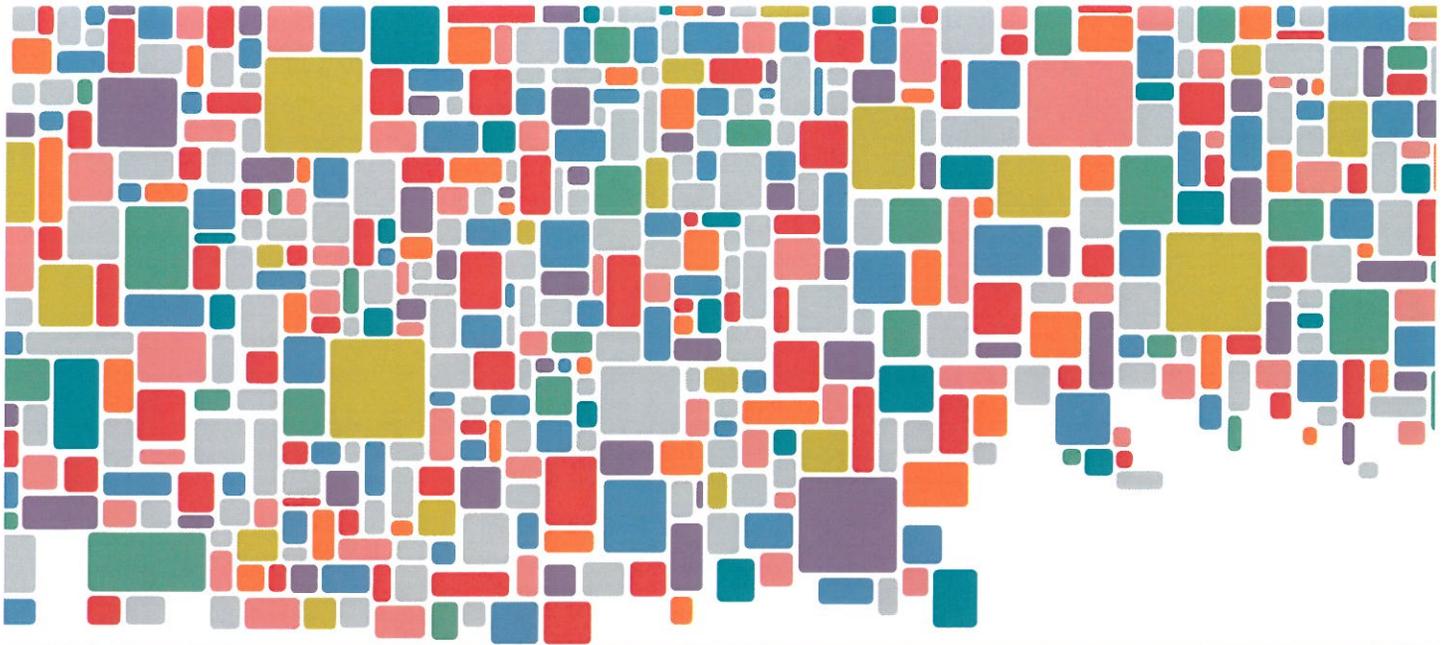
Jean Preister

From: Michele M. Abendroth
Sent: Tuesday, February 25, 2014 4:02 PM
Subject: Planning Commission Annual Report - Lincoln/Lancaster County Planning Department

The [Planning Commission 2013 Annual Report](#) is now available on the Planning Department web page. This report discusses the number of applications processed in fiscal year 2012-13, and highlights several important projects that were heard by the Planning Commission. The report also provides information on code amendments, administrative changes and other activities which involved the Planning Commission, including proposals planned for discussions and implementation in the coming year.

If you have any questions, please contact the Planning Department at 402-441-7491.

Marvin Krout
Planning Director
Lincoln/Lancaster County Planning Department
555 S. 10th Street, Suite 213
Lincoln, NE 68508
402-441-7491



Lincoln-Lancaster County
Planning Commission

2013

ANNUAL REPORT



Lincoln-Lancaster County
Planning Commission

2013 ANNUAL REPORT

This report summarizes the major activities undertaken over the past calendar year by the Lincoln-Lancaster County Planning Commission. This body of nine citizens is appointed for staggered six-year terms by Lincoln's Mayor with the concurrence of the City Council and the Lancaster County Board of Commissioners. The Planning Commission is charged by state and local law with advising the two elected boards on a variety of planning and development matters. It operates under an interlocal agreement dating back to 1958.

APPLICATIONS

The summary below provides an indication of the volume and trends in recent applications submitted to the Planning Department over the past six fiscal years (September through August).

The Planning Commission directly reviewed about half of these applications. The volumes reflect the continued rebound of development activity toward pre-recession levels.

PLANNING DEPT. APPLICATIONS	07-08	08-09	09-10	10-11	11-12	12-13
Annexations	10	25	3	3	7	6
*Preliminary plats	6	0	3	1	1	2
Final plats	84	69	88	100	102	139
Community Unit Plan amendments (CUP)	9	3	4	12	11	12
Use permits	8	9	2	6	5	4
Special permits and amendments	56	39	38	31	40	46
Change of zone - Map	38	22	13	25	24	16
Change of zone - Historic Preservation (HP)						5
Change of zone - Sign district						2
Change of zone - Planned Unit Developments (PUDs)	8	8	1	5	11	8
Board of Zoning Appeals	7	4	0	0	4	3
Street name changes	1	2	5	3	2	2
Street and alley vacations	11	10	15	13	9	9
Administrative amendments	84	68	69	62	65	106
Comp Plan conformity	34	15	11	11	15	18
Comp Plan amendments	1	6	2	0	9	2
Waiver of design standards	7	7	21	34	23	7
Text amendments	28	21	14	21	13	13
Miscellaneous / other	3	8	6	5	9	2
**Urban design review					42	57
TOTAL PER FISCAL YEAR	395	316	295	332	392	459

*Preliminary plats rolled into CUPs and use permits on 4/25/2005 **Urban design review added in 2012

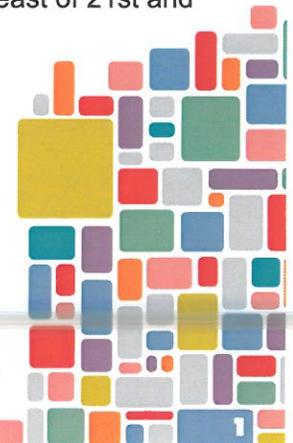
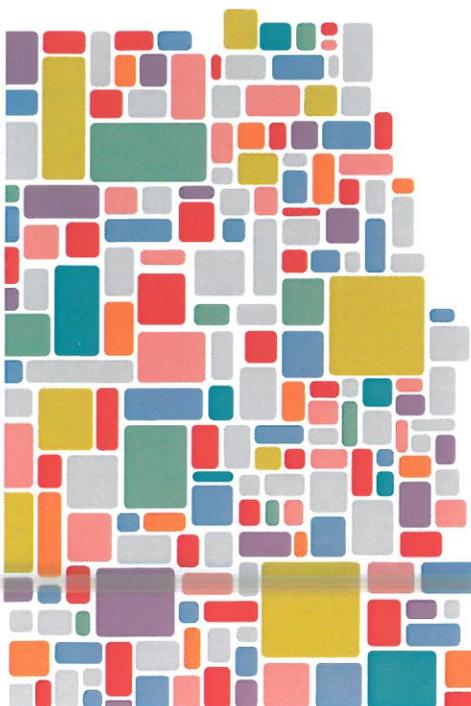
Some of the more notable development applications reviewed by the Planning Commission included:

- Rezoning and annexation of over 400 acres of land owned by Lincoln Airport Authority for rail-oriented industrial uses
- New PUD for mixed-use development south and east of 21st and "N" streets, along Antelope Creek



2174 N. OF 22ND DEVELOPMENT - BIRDSEY VIEW OF ROW HOUSE DEVELOPMENT

DLR Group

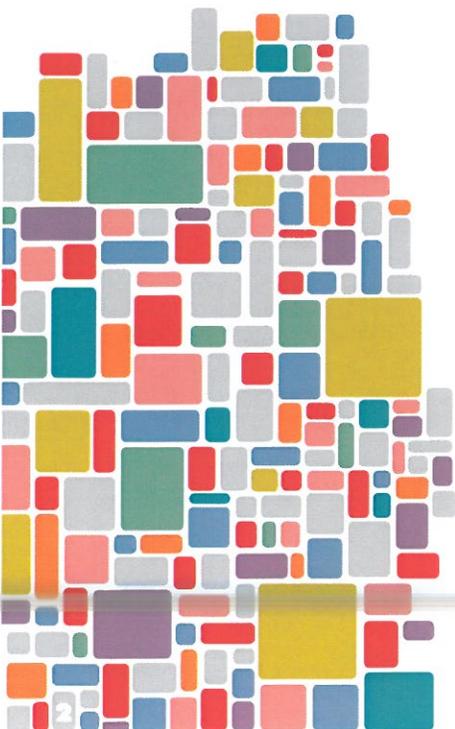




Lincoln-Lancaster County
Planning Commission

2013

ANNUAL REPORT



- New PUD for the redevelopment of the Piedmont Shopping Center on Cotner Boulevard
- Rezoning of land with a CUP for apartments at Highway 2 and Ashbrook Drive (denied by Planning Commission; appeal pending with City Council)
- Use permit for the redevelopment of the Russwood site at the northwest corner of 84th and "O" streets
- Amendment to the PUD at the southwest corner of 84th and Holdrege to allow for additional apartments
- PUD to redevelop the plant nursery south and east of Capital Parkway and 40th Street with mixed uses
- Special permit to expand a nonconforming sexually oriented live entertainment establishment on "O" Street west of Antelope Valley Parkway
- Amendment to the PUD at southeast corner of 40th Street and Yankee Hill Road to allow for a new auto dealership
- Rezoning of land with CUP east of 56th Street at Shadow Pines Drive for townhouse development
- Amendment to special permit to allow for expansion of emergency room facilities at Bryan East hospital
- Amendment to PUD to allow for drive-through restaurant south of Highway 2 at Apple's Way Drive



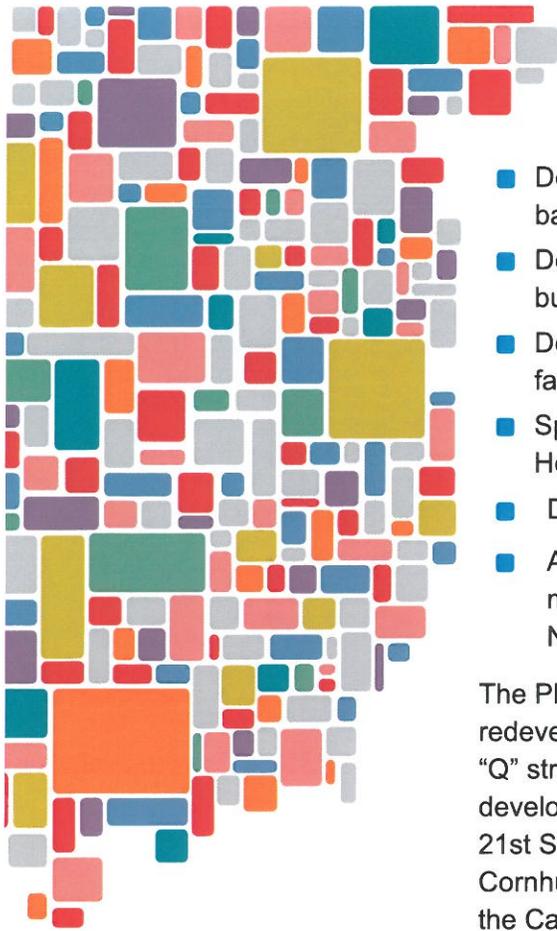
*Railyard in
West Haymarket*

*Photo courtesy
of Kiewit*

- Large-scale rezoning of land in the West Haymarket/Haymarket Park area
- Amendment to the special sign district for the Haymarket Park area
- Amendment to CUP in Roca area to allow additional acreage lots
- Special permit to allow a composting operation on Pella Road near Panama; also approved by County Board

The past year brought an unusual number of applications to the Planning Commission dealing with historic landmarks, including:

- Designation of former municipal pool house (now Parks and Recreation offices) near 21st and "N" streets



Lincoln-Lancaster County
Planning Commission

2013 ANNUAL REPORT



- Designation and special permit for recycling use on former Air Force base remote facility
- Designation and special permits to allow for office/residential use of buildings on “D” Street at 12th and 17th streets
- Designation and special permit to allow a neighborhood support facility on 18th Street near “G”
- Special permit to reduce parking for proposed sorority use of Atwood House at 17th and “G”
- Designation of fraternity house on North 16th Street
- Amendment to preservation easement and special permit to allow more than three unrelated residents for the Lewis-Syford house on North 16th Street

The Planning Commission also reviewed proposed blight and/or redevelopment plans for student housing and a garage at 18th and “Q” streets; revitalization of the Piedmont shopping center; mixed use development on parcels stretching from Antelope Valley Parkway to 21st Street; and a new manufacturing building on Yolande Street near Cornhusker Highway. The Commission also reviewed an amendment to the Capital Improvement Program to add a beautification project for the Cornhusker Highway and I-180 entryway corridors.

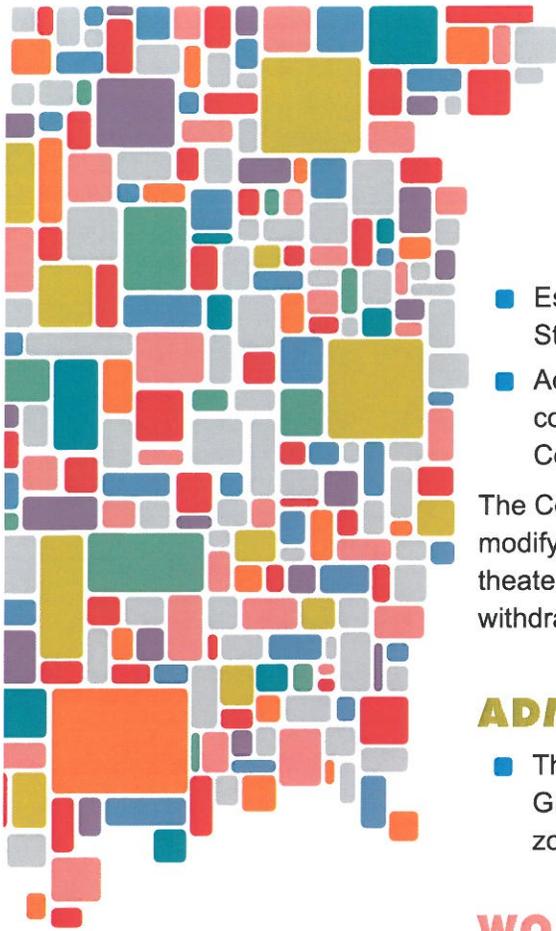


Proposed entryway corridor

CODE AMENDMENTS

The Planning Department initiated several amendments to the City and County zoning codes, including the following:

- Added flexibility on setback requirements for decks and building additions in rear yards in the City zoning code
- Simplified process to file a variance with the City and County Boards of Zoning Appeals, and clarified the role of the Boards in acting on appeals versus variances
- Defined “outlots” in the City and County zoning codes



Lincoln-Lancaster County
Planning Commission

2013

ANNUAL REPORT

- Established a special sign district for The Railyard block on Canopy Street in the West Haymarket area
- Added provision to allow review and approval by special permit of commercial composting operations in the County; approved by County Board

The Commission was scheduled to review a developer's application to modify the City's unique theater policy, which limits the number of movie theater screens allowed outside the downtown area. This application was withdrawn at the Commission hearing.

ADMINISTRATIVE IMPROVEMENTS

- The Planning Department added a simplified smart phone link to the GIS development viewer, which provides parcel-level information on zoning and development plans.

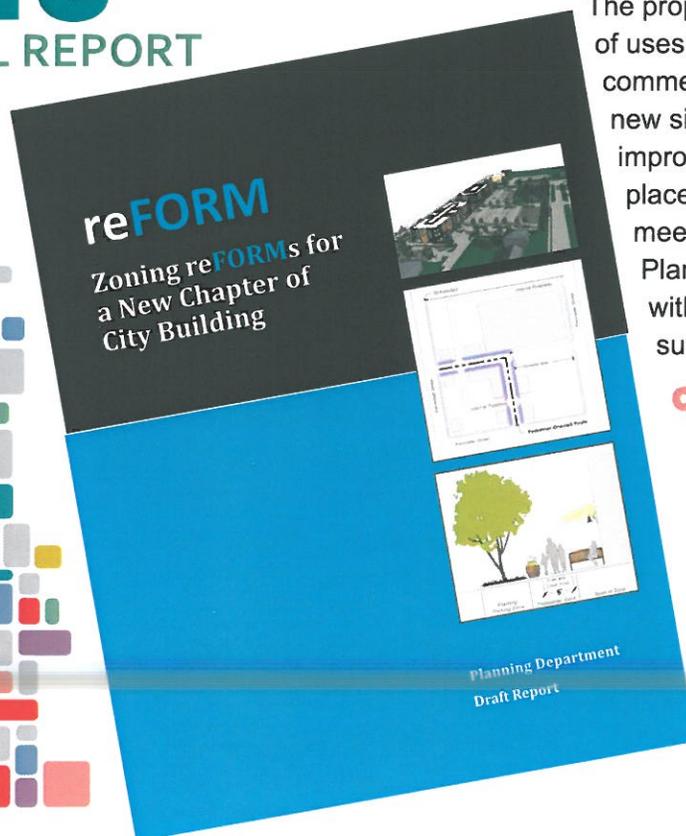
WORKSHOPS

Planning Commissioners were part of a broad-based special advisory committee that met 11 times in the fall to discuss a package of staff-proposed changes to the City zoning code referred to as "reFORM."

The proposals include more flexible treatment of uses, parking, height and setbacks in the commercial zoning districts. They also include new site and building design standards to improve the attractiveness and sense of place in those areas. The committee meetings followed a presentation to the Planning Commission in May and meetings with 20 stakeholder groups over the summer months.

Other workshops included:

- Multiple workshops on modifying zoning regulations regarding building additions and decks in rear yards
- Presentation by Omaha's urban design manager on their experience in applying urban design site standards to proposed developments in certain designated districts of that city





Lincoln-Lancaster County
Planning Commission

2013
ANNUAL REPORT

- Annual review of the Comprehensive Plan, including latest Community Indicators report
- Review of City sidewalk and pedestrian way policies
- Review of pipelines and other hazardous activities in relation to land use policy
- Session on navigating the department's webpage
- Review of Planning Department's "Self-Assessment", which asked the general public and stakeholder groups through surveys and focus group sessions to assess the department's performance and their general satisfaction with efforts to achieve key goals set out in the city-county comprehensive plan

CHANGES IN MEMBERSHIP

- In September, Cathy Beecham replaced Leirion Gaylor Baird, who was elected to the City Council in May.
- In November, Maja Harris replaced Wendy Francis, who resigned in April. Ken Weber was reappointed.

LOOKING AHEAD TO 2014

The Planning Department intends to continue engaging the Planning Commission and stakeholder groups on the "reFORM" proposals, looking ahead to public hearings by mid-year. The department also expects to work with stakeholders and possibly bring forward for Planning Commission review the following:

- New standards for block length and pedestrian ways in new subdivisions
- Bicycle parking
- Parking requirements for apartment developments
- Ways to reduce the number of special permits in the code and simplify others

A study of the South Haymarket area is being developed for review as well.

CONCLUSION

The Planning Commission continued to play an important role in the development of Lincoln and Lancaster County over the past year. Commissioners deliberated numerous and sometimes contentious development applications and worked on various improvements to local codes and administrative procedures. We appreciate the opportunity to serve our community in this role and hope that our local elected officials have found our efforts to be helpful.

Jeanelle Lust, Chair

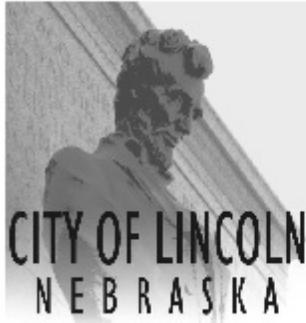


Memorandum

Date: ♦ February 25, 2014
To: ♦ City Clerk
From: ♦ Teresa McKinstry, Planning Dept.
Re: ♦ Administrative Approvals
cc: ♦ Jean Preister

This is a list of the administrative approvals by the Planning Director from February 18, 2014 through February 24, 2014:

Administrative Amendment No. 14003 to Use Permit No. 118, Coddington Park Shopping Center, approved by the Planning Director on February 21, 2014, requested by B & J Partnership, to reduce the front yard setback from 50 feet to 20 feet, consistent with the B-2 zoning district, on property generally located at S. Coddington St. and West A Street.



PUBLIC WORKS & UTILITIES ADVISORY

MAYOR CHRIS BEUTLER

lincoln.ne.gov

February 25, 2014

P Street Streetscape 11th Street - Centennial Mall City Project No. 2013001/T.C. #701136

The City of Lincoln Public Works Department is issuing this advisory to remind visitors for the High School State Basketball Tournaments that the P Street Streetscape Project is underway in the downtown area. The project work zone is currently on the south side of P Street from 11th Street to 14th Street. The project is part of the greater Downtown Lincoln Master Plan and continues to build on the growth and redevelopment taking place in the Downtown area.

Please note that during this construction all businesses remain open and accessible to customers. Based on the current construction activities the routing of pedestrians will be necessary in some areas via signed detours and pedestrian barricading. Please pay particular attention to the signage and barricading in these areas to help us maintain a safe work zone. Traffic along the street is being managed through lane closures and traffic control signage. Please be aware that some areas of parking may not be available and should be apparent by the hoods covering the parking meter.

Information on the P Street Streetscape Project is available on the City's website at www.lincoln.ne.gov (keyword: pstreet). If you have questions or comments, please contact one of the following people:

Zach Becker, Project Manager
City of Lincoln - Engineering Services
(402) 613-3763
zbecker@lincoln.ne.gov

Kris Humphrey, Project Engineer
City of Lincoln - Engineering Services
(402) 326-1176
khumphrey@lincoln.ne.gov

Hallie Salem, Downtown Re-Development Planner
City of Lincoln - Urban Development
(402) 441-7866

Andrew Christensen, Project Manager
Hausmann Construction
(402) 802-0023

MEMO

To: Lincoln City Council
From: Ernie Castillo, Urban Development Department 
RE: Federal Aid Project, West "O" Street Historic Highway Project
Date: February 25, 2014

Cc: Dave Landis

The Nebraska Department of Roads (NDOR) requires the Lincoln City Council to approve a resolution that the Council concurs in the selection of Watts Electric Company as the low bidder for the construction of the West "O" project. The NDOR requires the resolution is adopted within 30 days of the project bid letting. Bids were received on February 6, 2014. Nebraska Department of Roads sent us the resolution on Friday, 14th, and I prepared the Fact Sheet and Request for Resolution for the City Clerk by the Friday 21st, deadline for the March 3rd, City Council meeting. On March 3, 2014, we will respectfully ask the Council to conduct the public hearing on the date of the introduction of the resolution. This request is due to the NDOR deadline of March 6, for Council action.

Lincoln City Council approved the agreement between the City of Lincoln and the NDOR for use of federal funds for the West "O" Historic Highway Project about six years ago. We have been working with NDOR for the last six years on the project and are finally at the point of construction. The project celebrates the former Detroit-Lincoln-Denver Highway's (DLD) route along what is now West "O" Street by incorporating a streetscape design, signage, ornamental lighting and an interpretive plaza at 300 "O" Street. The West "O" Street Business Association has been an important partner, providing \$20,000 toward the project and waiting patiently as we are finally at the point of implementation.

We make this request for an expedited timeline because the state thirty day rule concludes on March 6th, and the regular hearing date of March 10th, will put us in violation of state procedures.

INTEROFFICE MEMORANDUM

TO: Mayor Beutler
& City Council Members

FROM: Clinton W. Thomas

DEPARTMENT: City Council Office

DEPARTMENT: Housing Rehab & Real Estate Division

ATTENTION:

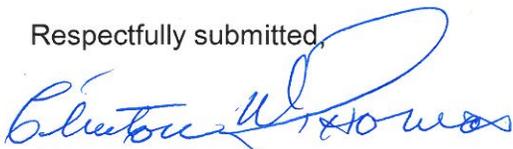
DATE: February 20, 2014

COPIES TO: Teresa J. Meier
Marvin Krout
Rod Confer
Byron Blum, Bldg & Safety
Jean Preister, Planning
Sandy Dubas, City Clerk's Office

SUBJECT: Street & Alley Vacation No. 14001
Alley behind 1421 P Street

A request has been made to vacate the alley generally located behind 1421 P Street. LES has asked an easement be retained for existing and future utilities over the area to be vacated. It has been agreed that the value of the alley to be vacated shall be incorporated in with the redevelopment agreement and negotiated at that time. Therefore, no value will be placed on it at this time.

Respectfully submitted,



Clinton W. Thomas
Certified General Appraiser #990023

Mary M. Meyer

From: WebForm [none@lincoln.ne.gov]
Sent: Monday, February 24, 2014 2:00 PM
To: Jon Camp
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for
Jon Camp

Name: Scott Bourn
Address: 7430 Upton Grey Lane
City: Lincoln, NE 68516

Phone: 402-440-9625
Fax:
Email: sb5115@aol.com

Comment or Question:
Mr. Camp,

I'm writing you today with concerns about an unmarked intersection in my neighborhood at Kenwell Ln and Thompson Creek Blvd. This morning there was another preventable automobile accident.

Is there anyway that the city of Lincoln could look into marking this intersection? This hasn't been the first, nor will it be the last accident for this intersection. Recently a concerned citizen wrote a letter to the editor of the Journal Star expressing concerns for this very intersection.

Thank you for your time.

Respectfully,

Scott Bourn
7430 Upton Grey Lane
Lincoln, NE 68516

Mary M. Meyer

From: glynn80@neb.rr.com
Sent: Monday, February 24, 2014 7:43 PM
To: Jon Camp

Dear Mr. Camp,

I am writing to you regarding the request from the Lincoln Grand Theatre for a liquor license. I would like to express my opinion against approval of the license. Other than the obvious reasons, I have two very personal reasons to share with you.

1. I have a 4-year old grandson that has just reached the age of enjoying going to a movie at a theatre. The thought of my grandson sitting next to (or in front or behind) a person or persons drinking an alcoholic beverage is very disturbing. One might argue that the people that will be drinking won't go to the same movie as a 4-year old but that is not always the case. A perfect example is the Lego Movie, which my grandson recently went to has been the number one attended movie since it came out. Without doubt, there have been people of all ages attending that movie.

2. I have a 25-year old son that is an alcoholic. Going to a movie is one place a person can go where there is no alcohol being sold or served. Unfortunately, my son drinks when we are not around, but going to a movie is one activity that we can do together and I not worry about him drinking or feeling out of place. Also, there are sober people that avoid places that sell alcohol for the very simple reason - it is a trigger for them to be around others that are drinking.

It would be a very sad thing to take this away from children and adults that should not be around people that are drinking. There are so many places in Lincoln that either sell or serve alcohol. In fact it would be much quicker to list the places that do not sell alcohol. I can only think of two places in Lincoln that would be for both adults and children, other than a movie theatre - the Children's Zoo and miniature golf.

I respectfully ask that you consider the negative implications that approving this request would have on the city of Lincoln and ask that you deny the request by the Grand Theatre for a liquor license.

Sincerely,

Gayle Norris
Glynn80@neb.rr.com
402-560-7073

Mary M. Meyer

From: Bob Lewis [blewis@workmanprecast.com]
Sent: Monday, February 24, 2014 4:05 PM
To: Jon Camp
Subject: Vintage Heights Subdivision

Jon,

I was hoping that I could meet with you to discuss the 7 plus acres of property owned by Pine Lake Development LLC at the SW corner of 98th and Old Cheney.

This property is over the ridge line and is not gravity sewerable at this time. I would like to discuss the options we may have to install a lift station until such time gravity sewer is available.

I would appreciate an opportunity to discuss this issue in person and get your input.

Thank you in advance for your attention to this matter.

You may reach me at 402-540-1245 or by email at blewis33@windstream.net

Bob Lewis

Mary M. Meyer

From: Nick Cusick [ncusick@bisoninc.com]
Sent: Monday, February 24, 2014 3:00 PM
To: Jon Camp
Subject: Pine Lake Association

Dear Jon:

I appreciate the Council's decision to postpone until March 3 a decision regarding the application of Livingston Investments and Boardmoor Investments related to development adjacent to Pine Lake and Ashbrook neighborhoods.

Clearly you recognized the realistic safety, liability and traffic related issues that could be caused by putting a reasonably high density, albeit lowered to 147 units, development adjacent to a neighborhood whose streets were built to AGR standards, without sidewalks or street lights and with other unique characteristics including an uncontrolled lake, beach and horse barn.

I have continued to look creatively at methods to reduce traffic related risk and, given the fact that the primary possibilities involved unpredictable State DOR approval and to some degree just moving the problem from the Highway 2/Ashbrook intersection to the Highway 2/Eiger intersection, I believe the real solution is to ultimately only approve development that is a continuation of the Ashbrook Development density (i.e. single family and townhouses). To date, no traffic solution has come forward from city staff.

The issue has been raised by some Council members that it should be the right of a property owner (in this case Livingston) to maximize the value of their property. If carried to the extreme, that would mean that if the house next to you were to burn down that the Council should consider a rezoning request to make it suitable for commercial or high density residential development. That is not in keeping with the neighborhood and the goals of responsible zoning strategies. I disagree with this right.

There has been some quiet conversation regarding individual Pine Lake residents and possibly PLA partnering with the Ashbrook neighborhood developer to acquire the property to insure development that is more in keeping with the adjacent property. It is my understanding that Pat Mooberry has expressed some interest in this approach.

Regardless of your ultimate decision on these matters, I appreciate the delicate balance you need to maintain between neighborhood compatibility and safety and the desire and need to encourage growth.

I'd be happy to visit further if appropriate.

Regards,
Nick Cusick

Mary M. Meyer

From: Ed Malk [edmalk@cox.net]
Sent: Monday, February 24, 2014 4:17 PM
To: Mary M. Meyer
Subject: Pine Lake Resident Concerns for Broadmoor Proposed Development in Pine Lake Area

To: Lincoln City Council

From: Edward & Joan Malk
8033 North Shore Drive
Lincoln, NE 68516
(402) 261-9288

Subject: Thoughts regarding proposed development by Broadmoor.

We have invested greatly in our property on North Shore Drive. We love the Pine Lake Community and have found Lincoln a great place to spend our retirement. We are not opposed to Lincoln growth or development and appreciate the positive impact of the new Pinnacle Bank Arena. We believe that allowing 200+ apartment units and R4 zoning will have a negative impact on the pedestrian safety in the Pine Lake Neighborhood. Two other items are listed, but are of lesser, though important, concerns.

1. Safety for Pedestrians:

The current infrastructure around Pine Lake of private roads inadequate. We have no sidewalks, the streets are narrow, curved, and pose a significant hazard to pedestrians when traffic is present. Under ideal conditions, all apartment tenants would enter and exit the apartment complex via Ashcroft Street and Highway 2. Heading northwest on Highway 2 is pretty easy because there is a lane for merging traffic. Heading southeast requires crossing the 55 mph northeastern traffic lanes, which can be quite frightening, particularly if there is any traffic. We avoid this area except when we are confident that traffic is minimal. We believe many others avoid this intersection and drive through the Pine Lake Neighborhood for alternative exits. {Eiger & 84th, Pine Lake & 84th, 70th & Berean Church Entrance (trespassing), 70th & Stevens Ridge Rd, 77th & Old Cheney, Eiger & Hwy 2 (offers no benefit)}.

In any case, a traffic control light at the corner of Ashcroft and Hwy 2 is sorely needed.

I believe we already experience some of the expected impact we will experience on Sunday mornings when the Berean Church Services are exiting. I would guess that our street maybe sees 10-20 cars per hour in non-rush hour traffic. I observed 15 cars on North Shore Drive in less than 3 minutes on Sunday Feb 23 at ~11:45 AM. While I realize this may be extraordinary, it is a bit frightening.

It seems as if we are seeing many families with young children moving into the area. With increased traffic, narrow curved streets, it is just a matter of time until we have a tragedy. Limiting the traffic will reduce the probability of this tragedy.

2. Maintenance of Roads:

Our roads are currently private in Pine Lake and the responsibility of the Pine Lake Home Owners Association. In some areas, there is maintenance needed but this is not a city concern at this point. In particular I am concerned about the road surface above the dam that forms pine lake. It is blacked top and in reasonable repair at this time. This section is very narrow and barely supports two way traffic. In winter driving conditions, I believe we will experience more vehicles sliding off the crowned road to either side of the dam. I can only hope that there will be no injury to the occupants of the vehicle, or adverse impact to the lake or wetlands on either side of the dam.

I do not know what impact the additional traffic will have on our roads, but we are responsible for maintaining them. I am sure it will not be covered by the Real Estate Taxes we currently pay, and we will have additional assessments to cover these expenses.

3. Maintaining Lake Privacy

Currently, many people enjoy the 1.2 mile walk around the lake, residents and non-residents. Additionally there are a large number of people using the lake. More and more children from nearby Ashcroft Rd and the Edenton South neighborhoods are found fishing and swimming in the lake. The burden of Lake maintenance and safety are currently the responsibility of the Pine Lake Residents. Recognizing that the lake is inherently an attractive nuisance, the neighborhood will necessarily have to enforce tighter use and access controls of the lake, detracting from the friendliness and welcoming nature of our neighborhood.

Thank you for soliciting our input on this topic of special interest to us.

Sincerely,

Edward G & Joan J Malk

Barbara Seglin
7900 Northshore Drive
Lincoln, Nebraska 68516

February 24, 2014

The Honorable Trent Fellers
Lincoln City Council
555 South 10th St.
Lincoln, NE 60508

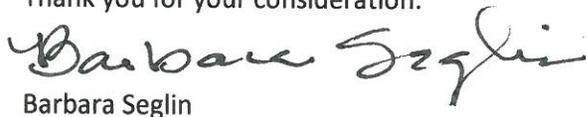
Subject: Boardmoor Development

Dear Councilman Fellers:

Please do not approve the rezoning and special use permit for the Boardmoor Development adjacent to Pine Lake. This area for the development is not compatible with the single family residences at Pine Lake. There are no sidewalks or street lights at Pine Lake and the increase occupancy and traffic as a result of the proposed development will pose a danger to the children and residents at Pine Lake.

My husband Steve and I have lived at Pine Lake for over 40 years and it is a peaceful and private place to live. The proposed apartment development of over 150 units with approximate 300 vehicles will be disruptive to our family friendly neighborhood.

Thank you for your consideration.


Barbara Seglin

RECEIVED
FEB 26 REC'D
CITY COUNCIL
OFFICE

Mary M. Meyer

From: Linda Pappas [lpappas@neb.rr.com]
Sent: Wednesday, February 26, 2014 12:17 PM
To: Council Packet
Subject: So. 27th Street Help!

Dear Council Members: I live in the Sevenoaks area - south of Old Cheney & east of 27th. When we moved here in 1984, 27th St. south of Old Cheney was a gravel road. Now it has become a congested 4-lane street w/a 40-mile-per-hour speed limit. Please - we need help getting out of our area(s) - also Southern Hills, The Ridge & other neighborhoods - onto 27th Street, our only accessible north/south arterial. It is particularly difficult during rush hour traffic but pretty much all the time due to the growth in this area (Southpointe, car dealers, restaurants, schools, golf course, etc.). A stop light at either Jane Lane or Coronado Drive would help so much. Please consider this request. Thank you!

Linda Pappas
6221 So.29th Cir.68516
402-432-8888

Sent from my iPhone
Linda Pappas

Mary M. Meyer

From: Bob Citta [citta340@aol.com]
Sent: Wednesday, February 26, 2014 1:14 AM
To: Mary M. Meyer
Subject: Alcohol at theatrical events

2/25/14

Ms. Meyer,

At the request of Councilman Camp I am sending to you my experience I had at a play at the Lied Center two weeks ago. This is to go with the alcohol issue The Grand theater is involved in.

The Lied now allows alcohol into the seating area. During the play I had a group in a row ahead become over served, intoxicated, loud and disruptive. Two individuals got up approx six times to refill cups. One spilled part of their drink on another while sliding back to her seat. In this case the middle aged ushers would not have been able to handle these 20 something's. Additionally One of the group sang to the music and said she didn't give a f**k if anyone was bothered. One person behind her did say he didn't like the behavior but it did not change the situation.

I can only say that alcohol has no place inside a theater. In view of what I saw I will not go to this theater if alcohol is allowed into the seating area.

Thank you for your attention.

Robert Citta
488-9425

Sent from my iPad

Mary M. Meyer

From: WebForm [none@lincoln.ne.gov]
Sent: Wednesday, February 26, 2014 3:42 PM
To: Council Packet
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: Margaret Elley
Address: 1919 So. 50th St.
City: Lincoln, NE 68506

Phone: 402 489 2748
Fax: none
Email: melley8@aol.com

Comment or Question:

I am writing to comment on the question of serving alcohol at the Grand Theater, or at any of the theaters in the city of Lincoln. I do not think it is appropriate to serve alcohol, in any form, at Lincoln movie theaters, as this is one of the few places in town where families can go for entertainment that alcohol is not served. I believe it is important for the current alcohol-free atmosphere as an example of having a fun activity without alcohol. We already have more than enough establishments where alcohol is served...adding another is unnecessary, especially where family entertainment is involved. I want to encourage each council member to vote no on the question of allowing the Grand Theater to serve alcohol on their premises.

RECEIVED

FEB 27 REC'D

CITY COUNCIL
OFFICE

To those who SHOULD be concerned,

When I first read the news that the Grand desired to allow alcohol drinking in their theater, I truly couldn't believe it! I waited a few days to think this over. Having done that, I felt I wanted, and needed, to share my thoughts with you.

It literally blows my mind that we would even consider putting something of this nature in our community! When there are so many other places people can have alcohol, why would a place that attracts so many young people, so many older people, so many families, and so many people who choose NOT to drink, even want to talk about this? As the newspaper stated "this would bring the capital city up to date with a national trend" (with only 500 theaters in the country doing this, it is a "national trend"?); this would "bring in more revenue in spite of declines in ticket sales" (so pleasing a few people who can do this in a multitude of other places is more important than pleasing a huge number of people of all ages who can only see movies in one place--the theater?).

I have felt for years that we have a community that works extremely hard on being a city that strives to do what is right and do what pleases the majority of our people. This is one of those choices that would be negative/wrong in every way, and will "kill" what was good family and friends time together. If this isn't the most important consideration and not the "revenue" it brings, perhaps they should just close it down as a "theater"! And the lack of attendance may just take care of that!

With respect, Linda Sundberg

Linda Sundberg
(Mrs. David Sundberg)



DIRECTORS' AGENDA
ADDENDUM
MONDAY, MARCH 3, 2014

I. CITY CLERK

II. MAYOR & DIRECTORS' CORRESPONDENCE

MAYOR

1. NEWS RELEASE. Chief Information Officer receives national recognition.
2. NEWS ADVISORY. Mayor Beutler's public schedule for the week of March 1, 2014 through March 7, 2014.
3. NEWS RELEASE. Tournament visitors will see changes downtown.

III. DIRECTORS

PUBLIC WORKS & UTILITIES/ENGINEERING

1. ADVISORY. Water main replacements. North 75th Street and Dotson Road, City Project No. 702764. Broadview Drive, City Project No. 702767.

IV. COUNCIL MEMBERS

JON CAMP

1. Bob Moodie correspondence on the results of the Nebraska Department of Roads possible alternative road routes regarding the Broadmoor Development at Ashbrook and Highway 2.

V. CORRESPONDENCE FROM CITIZENS

1. Pam and Jack Gannon letter listing reasons their concerns with the Broadmoor Development proposal.
2. Jay and Patrice Niebur correspondence listing reasons to be opposed to the Broadmoor Development proposal at Ashbrook Drive and Highway 2.
3. Jennifer Cusick-Rawlinson stating how the Broadmoor proposal is not compatible with the location, listing various reasons.
4. Luke and Shawna Fosket writing in opposition to the Broadmoor development at 84th and Highway 2, with reasons listed.
5. Memo from Nicole Carritt, Project Extra Mile Director, on concerns of the proposed Class 1 liquor license application of the Lincoln Grand Cinema.
 - a) Project Extra Mile letter outlining their concerns regarding the liquor license application of the Grand Cinema.
6. Jeff Rawlinson stating why Council should not approve the Broadmoor Development at Pine Lake.
7. Judith Irvin phone message stating her opposition to alcohol at the Grand Theater. Movie only lasts 2 hours: young children want to go to movies: so many other places to drink.
8. Elaine Warren phone message. Lives downtown and definitely opposed to alcohol at the theater. Now have a lot of bars downtown. Will not eat downtown at night because so much liquor being served. Will ruin the movie experience for everyone. People can enjoy an activity without alcohol.

FINANCE DEPARTMENT

Information Services, 233 South 10th Street, Lincoln, NE 68508, 402-441-7471

FOR IMMEDIATE RELEASE: February 27, 2014

FOR MORE INFORMATION: Steve Henderson, Information Services, 402-441-7823

Patty Cota, e.Republic, 916-932-1300, pcota@erepublic.com

CHIEF INFORMATION OFFICER RECEIVES NATIONAL RECOGNITION



Government Technology magazine has named Steve Henderson, the Chief Information Officer for the City of Lincoln and Lancaster County, as one of its “2014 Top 25 Doers, Dreamers and Drivers.” Henderson is profiled in the March issue of the magazine and on govtech.com.

Since 2002, *Government Technology* has honored more than 300 individuals and teams for “using innovative technology to solve public-sector challenges and improve the performance of critical programs.” Henderson is the only Nebraska professional to be honored this year.

Henderson came to his current position in August 2010 after 30 years with the State of Nebraska. He was recognized for initiating a shared services agreement with State government for mainframe computing services, allowing him to better control costs.

- 30 -

About *Government Technology*:

For more than 25 years, *Government Technology* has focused exclusively on advancing technology solutions for state and local governments through collaboration and best practices. *Government Technology* is about solving state and local problems through the smart use of technology. *Government Technology* is a division of e.Republic, the nation’s only media and research company focused exclusively on state and local government and education.

Date: February 28, 2014

Contact: Diane Gonzolas, Citizen Information Center, 402-441-7831

Mayor Beutler's Public Schedule
Week of March 1 through March 7, 2014
Schedule subject to change

Tuesday, March 4

- KLIN - 8:10 a.m.

Thursday, March 6

- KFOR - 7:45 a.m.
- Mayor's Environmental Task Force meeting - noon, Mayor's Conference Room, County-City Building, 555 S. 10th St.

URBAN DEVELOPMENT DEPARTMENT

Parking Services, 850 "Q" Street, Lincoln, NE 68508, 402-441-PARK (7275)

FOR IMMEDIATE RELEASE: February 28, 2014

FOR MORE INFORMATION: Wayne Mixdorf, City Parking Manager, 402-441-6097

TOURNAMENT VISITORS WILL SEE CHANGES DOWNTOWN

Lincoln's new Pinnacle Bank Arena will host all the high school championship basketball games as well as some preliminary rounds for the first time this year. The girls tournament is March 6 through 8, and the boys tournament is March 13 through 15. Visitors will see many changes downtown with new roads, garages, hotels and restaurants in the Haymarket and West Haymarket. Construction continues in the West Haymarket and along "P" Street in downtown.

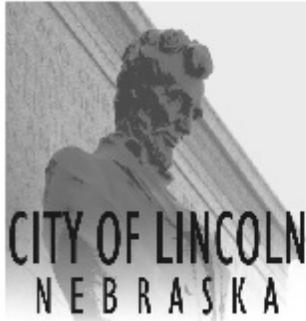
About 1,400 new "smart" parking meters were installed downtown a year ago, and the meter rate is now \$1 an hour, making parking garages the cheapest downtown parking option. The new meters also accept credit, debit and pre-paid parking cards and dollar coins in addition to dimes and quarters. Parking meters are enforced Monday through Saturday from 8 a.m. to 6 p.m.

SMG is offering \$3 all-day event parking at the large festival space north of Pinnacle Bank Arena off Sun Valley Boulevard. The lot is a short distance from the arena and is connected by a pedestrian bridge. SMG also is offering \$5 all-day event parking at the "premium" garage attached to the arena. The SMG parking is available on a first-come, first-served basis.

The City is offering \$5 all-day event parking for the tournaments at the Red 1 Garage at 555 R" St., just south of the Arena. The all-day rate at this location is only \$4 online at parkandgo.org. In all other City garages and lots with the "Park and Go" signage, the first hour is free. The rate is then \$1 per hour with a maximum of \$9 for all-day parking. The facilities are:

- Lumberworks Garage, 700 "N" Street
- Market Place Garage, 925 "Q" Street
- Carriage Park Garage, 1128 "L" Street
- Cornhusker Garage, 1220 "L" Street
- West Depot Lot, 7th and "O" streets
- Haymarket Garage, 848 "Q" Street
- Que Place Garage, 1111 "Q" Street
- Center Park Garage, 1120 "N" Street
- University Square Garage, 101 N. 14th Street

All public parking with the exception of that purchased online is on a first-come, first-served basis. Parking for oversized vehicles can be arranged by calling Pinnacle Bank Arena at 402-904-4444 or PolygonCorp. at 402-770-7659. More information is available at 402-441-PARK (7275) and at parkandgo.org. The Lincoln Convention and Visitors Bureau will have staff at each venue to help with questions. More visitor information is available at its website, lincoln.org.



PUBLIC WORKS & UTILITIES ADVISORY

MAYOR CHRIS BEUTLER

lincoln.ne.gov

February 28, 2014

Water Main Replacements **North 75th Street and Dotson Road - City Project No. 702764** **Broadview Drive - City Project No. 702767**

The City of Lincoln proposes to replace the existing water main along North 75th Street and Broadview Drive beginning on March 10, 2014, weather permitting. The water main on North 75th Street will be replaced from Steinway Road to Dotson Road and along Dotson Road from North 75th Street to Broadview Drive as a part of the #702764 Project. The water main on Broadview Drive will be replaced from Steinway Road to Skyway Drive as a part of the #702767 Project. Construction of both projects is expected to take twelve weeks and will begin on North 75th Street. Upon completion of the installation and chlorination of all water mains the contractor will change over water service lines to the new water main, again beginning on North 75th Street.

K2 Construction will be the contractor. They will perform the work under a total street closure with the road open to local traffic only. During the construction operations access to driveways may be restricted at times. The City and the contractor will work with residences regarding their access during construction.

If you have questions or comments, please contact one of the following people:

Zach Becker, Project Manager
City of Lincoln - Engineering Services
(402) 613-3763
zbecker@lincoln.ne.gov

Charlie Heng, Project Manager
K2 Construction
(402) 416-6748
cheng@k2construction.biz

Mary M. Meyer

From: Council Packet
Subject: Broadmoor Development at Ashbrook and Highway 2

From: Jon Camp [<mailto:joncamp@lincolnhaymarket.com>]
Sent: Friday, February 28, 2014 11:02 AM
Subject: Fwd: Broadmoor Development at Ashbrook and Highway 2

From: Bob Moodie <rmoodie@friedmanlaw.com>
Date: February 28, 2014, 8:50:56 AM PST
To: Jon Camp <joncamp@lincolnhaymarket.com>
Cc: "lgaylorbaird@lincoln.ne.gov" <lgaylorbaird@lincoln.ne.gov>, "jcook@lincoln.ne.gov" <jcook@lincoln.ne.gov>, "pmoodie6840@yahoo.com" <pmoodie6840@yahoo.com>, "jcrawlinson@windstream.net" (jcrawlinson@windstream.net) <jcrawlinson@windstream.net>, "Carl B. Eskridge" <CEskridge@lincoln.ne.gov>, "demery@lincoln.ne.gov" <demery@lincoln.ne.gov>
Subject: **FW: Broadmoor Development at Ashbrook and Highway 2**

Mr. Camp: I guess I am not too surprised by this report but it certainly puts the Council in a bind with this matter set to appear on the agenda on Monday. How would you like to proceed? There have not been any further discussions with the developer or other neighbors while we waited for Mr. Hoskins to get back to us. I am not aware of any other ideas on how to deal with the traffic concerns presented by this unique situation. If you want to consider more delays my neighbors and I would certainly be willing to discuss the matter further. If you feel that the feasible options have been fully explored and see no benefit to further delay I would encourage you to vote to deny the application presented by Broadmoor Development. Thank you.

Bob Moodie

From: Randy W. Hoskins [<mailto:rhoskins@lincoln.ne.gov>]
Sent: February 28, 2014 10:21 AM
To: 'Jennifer Rawlinson'; 'thuston@clnewilliams.com'
Cc: Brian Will; 'Jon Camp'; Bob Moodie; Leirion Gaylor Baird; Jonathan A. Cook; Miki Esposito
Subject: RE: Broadmoor Development at Ashbrook and Highway 2

I finally heard back from the Nebraska Department of Roads this morning. Based on my conversation with Jim Knott, they are not likely to allow a frontage road to be built in the State's right-of-way for Highway 2. If it could be shown that the grading would work out and not disturb the State's backslopes, they did say that they might consider allowing it within the right-of-way. Jim did not think they would have an issue with a connection to the old Pine Lake Road stub, which is also within their right-of-way.

The State will insist that a traffic signal warrant be met before a signal can be installed at the Ashbrook/Pine Lake Road/Highway 2 intersection.

I realize this is not much help in resolving the situation and it is coming late in the game to help for Monday. It might seem that if the Pine Lake Association is truly concerned about traffic from the Broadmoor development cutting through their streets, they might be well served by making a deal to allow a very narrow frontage road adjacent to the Nebraska Department of Roads right-of-way.

If I can answer any other questions, feel free to contact me.

Randy Hoskins, P.E.
Assistant City Engineer

From: Randy W. Hoskins
Sent: Monday, February 24, 2014 9:35 AM
To: 'Jennifer Rawlinson'; Miki Esposito
Cc: thuston@clinewilliams.com; Brian Will; 'Jon Camp'; 'Bob Moodie'
Subject: RE: Broadmoor Development at Ashbrook and Highway 2

I've heard nothing back yet. I'll contact them tomorrow if I don't hear anything today. RH

From: Jennifer Rawlinson [<mailto:jcrawlinson@windstream.net>]
Sent: Monday, February 24, 2014 9:21 AM
To: Randy W. Hoskins; Miki Esposito
Cc: thuston@clinewilliams.com; Brian Will; 'Jon Camp'; 'Bob Moodie'
Subject: RE: Broadmoor Development at Ashbrook and Highway 2

Any news yet from the State? My understanding is that all of the interested parties are willing to meet before the Council vote to discuss options.

Jennifer

From: Randy W. Hoskins [<mailto:rhoskins@lincoln.ne.gov>]
Sent: Tuesday, February 18, 2014 8:48 AM
To: 'Jon Camp'; Bob Moodie; Miki Esposito
Cc: thuston@clinewilliams.com; jcrawlinson@windstream.net; Brian Will
Subject: RE: Broadmoor Development at Ashbrook and Highway 2

I have made contact with the Nebraska Department of Roads regarding their thoughts on the access road in or near their right-of-way for Highway 2. It sounds like this will be a fairly high level discussion within the Department, and one of the people needing to be involved in the discussion is out until the end of this week. I'm hoping to hear something either late this week or early next. When I do, I will pass it along for potential meeting/discussion.

Randy Hoskins, P.E.
Assistant City Engineer

From: Jon Camp [<mailto:joncamp@lincolnhaymarket.com>]
Sent: Monday, February 17, 2014 9:54 AM
To: Bob Moodie; Miki Esposito; Randy W. Hoskins
Cc: Mary M. Meyer; thuston@clinewilliams.com; jcrawlinson@windstream.net
Subject: RE: Broadmoor Development at Ashbrook and Highway 2

Bob:

Thanks for your email. City offices are closed today for Presidents' Day but I am sure Miki Esposito and or Randy Hoskins will respond at her earliest convenience tomorrow on a timeline for discussions.

Best regards,

Jon

JON A. CAMP
Haymarket Square/CH, Ltd.
200 Haymarket Square
808 P Street
P.O. Box 82307
Lincoln, NE 68501-2307

Office: 402.474.1838/402.474.1812
Fax: 402.474.1838
Cell: 402.560.1001

Email: joncamp@lincolnhaymarket.com
Website: www.lincolnhaymarket.com

Check our reception and event venues at:

<http://www.facebook.com/pages/Apothecary-Lofts-Ridnour-Rooms/173175799380032>

From: Bob Moodie [<mailto:rmoodie@friedmanlaw.com>]
Sent: Monday, February 17, 2014 9:14 AM
To: Jon Camp; 'mesposito@lincoln.ne.gov'; 'rhoskins@lincoln.ne.gov'
Cc: 'Mary M. Meyer (mmmeyer@lincoln.ne.gov)'; 'thuston@clinewilliams.com'; 'jcrawlinson@windstream.net'
Subject: RE: Broadmoor Development at Ashbrook and Highway 2

Mr Camp & Ms. Esposito: I am looking forward to participating in the discussions regarding alternatives to address the traffic issues involved in this project. Please let me know how you think we should proceed. Unfortunately I have been out of town much of the last two weeks and will be leaving again between 2/19 and 2/24. However I believe I will have access to email while I am gone and I am certainly available and willing to meet at any time while I am in town.

I assume that Ms. Esposito and her staff are reviewing the options that came up during the public hearing and will be reporting back on their conclusions. If there is something else that I should be doing in the mean time please advise.

Bob Moodie

From: Jon Camp [<mailto:joncamp@lincolnhaymarket.com>]
Sent: February 10, 2014 9:09 AM
To: 'mesposito@lincoln.ne.gov'; 'rhoskins@lincoln.ne.gov'
Cc: 'Mary M. Meyer (mmmeyer@lincoln.ne.gov)'; 'thuston@clinewilliams.com'; Bob Moodie; 'jcrawlinson@windstream.net'
Subject: Broadmoor Development at Ashbrook and Highway 2

Miki and Randy:

Today I will request a two-week delay on this matter at the City Council meeting. During that time, I will appreciate your coordination with the developer (Tom Huston), the neighbors (Berean Church, Ashbrook homeowners, Edenton South and Pine Lake, and any other interested parties) to analyze the practical implications of the traffic flow in this vicinity and viable solutions.

To no one's fault, the street configuration is rather unusual and tight. Although many concerns have been raised, at this point, the "traffic issue" appears to be the main focus. While I defer to you and those involved to create the solutions, possible solutions raised by testifiers at the Public Hearing last week include, among others: (1) Highway 2 signal, (2) access road to Eiger, (3) fewer units with lower density or townhomes, or (4) no commercial and/or apartment development.

The developer has been cooperative in the past with its reduction of units to 147 from 219 and inclusion of landscaping, fencing and reducing the height of the northern buildings. Because the development relies on a zoning change, the developer should consider what else can be added to mitigate the traffic congestion. I have no doubts that whatever may be built, however, will be a quality project.

Likewise, I hope the neighbors will focus their concerns on the traffic solution. As some testifiers noted, at some point this property will be developed (unless the neighborhoods choose to purchase the property) and they need to consider whether other alternatives would be better or more challenging. Please remember "common sense" and that human beings usually "take the course of least resistance" in their daily traffic patterns. Engineers may find a traffic template to be helpful but, in practice, human nature may not follow. Please further consider the impact on the Berean Church's road and parking lot network, the future addition of homes in the Ashbrook development, and the Northshore Drive in Pine Lakes.

While the Comprehensive Plan encourages density in areas like this within the City Limits, this parcel and adjacent neighborhoods present an unusual street configuration. Further, we need to remember that the Comp Plan is a "guideline", not a mandate.

Thank you in advance for your coordination of this review. Please keep the City Council and me posted on developments. I will have Mary Meyers forward this email to my Council Colleagues.

Jon

JON A. CAMP
Haymarket Square/CH, Ltd.
200 Haymarket Square
808 P Street
P.O. Box 82307
Lincoln, NE 68501-2307

Office: 402.474.1838/402.474.1812
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Email: joncamp@lincolnhaymarket.com
Website: www.lincolnhaymarket.com

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<http://www.facebook.com/pages/Apothecary-Lofts-Ridnour-Rooms/173175799380032>

6501 Eastshore Drive
Lincoln, NE 68516

Lincoln City Council Members

Jon Camp
Doug Emery
Jonathan Cook
Carl Eskridge
Leirion Gaylor Baird
Roy Christensen
Trent Fellers

February 28, 2014

RE: Broadmoor Development proposal – Annexation N. 13004, Change of Zone No. 13020, Special Permit No. 13043

Our neighbors shared with us your discussion on the Broadmoor Development along Nebraska Highway 2 and Ashbrook Drive. I wanted to thank the Council for raising thoughtful questions and looking for alternatives to the concerns raised by the adjacent property owners, and for voting to delay the vote until more conversation and research could be completed.

I believe that you have discovered that resolving the primary concerns is not easy. Pine Lake has struggled to find good solutions to the problems caused by the development and connectivity. Our neighborhood has struggled with a large increase of trespassers and vandalism. We are different from Capital Beach or Wedgewood Lake in that all 131 home owners have access to all the outlots of our area, including the lake. We can't fence off the lake or the riding trails, nor do we feel that we can call the police daily to report trespassers. So, for many of us, traffic and density are a major concerns we see in adding more than twice the number of units on the Livingston acres next to our AGR neighborhood.

I know the City leaders want to see higher density areas developed, and I know that Broadmoor sees this property as a very desirable location – view of the lake and the wetlands, an area surrounded by lovely neighborhoods with parks. But the bottom line is that neither the owners of the property nor Broadmoor live in this development. The neighbors will have to put up with impact, which is not what any of us thought was going to happen when we invested in our properties. Single-family homes, then townhomes were what we've been told. The townhomes that have been built are beautiful, the neighbors are friendly, and the different areas blend together beautifully. They are not tall units. Rather, with the lay of the land, little is seen of the townhomes from our lake or backyards. We did not express any objection to the building of the townhomes, but large three story apartment buildings seem in violation of that blend of the neighborhoods which has been developed throughout the years. I believe that this property needs to be annexed and taxes

be paid at the level that the rest of us are paying for AGR property, but townhomes rather than three story apartments would be more consistent and respectful to the surrounding development neighborhoods. Both the Livingstons and Broadmoor knew that the area was already established when entering into investing in this property and both will make far more than my husband and I have earned in our lifetime of full-time/overtime employment. Of course, we'd like to see the area be townhomes, to support the higher density objective without overwhelming the neighborhoods. If that isn't the case, I understand that Broadmoor will need to submit a final design to the Council. Our request is that the Council deny the Special Permit allowing for the extended height of the apartments and ask that the buildings that area along Edenton Woods and Pine Lake Association property lines be limited to two story. With the slope of the property, it would at least give the feel of a home behind our homes rather than a large three-story building. Perhaps placing the club house at the northeast corner of their property rather than a large 3 story apartment would give a nice view from their pool rather than us having to look at a large building from our back yards, lake and road which is a "stones throw away." Without you forcing some of these changes, I don't think Broadmoor will want to alter their plan. Those apartments overlooking our lake and the wetlands will bring large rents for them.

I know this is just one of the many issues you face each day and in the big picture, it is a pretty small one compared to the other city concerns, but for us in the Pine Lake and Edenton Woods developments, it will have a big impact on our lives and property. Thank you for giving these issues serious consideration before voting. As a small property owner, it is reassuring to know that we are being heard and our concerns honored, that you have looked at ways to make it work for everyone. Thank you for your service to our city.

Respectfully yours,
Pam and Jack Gannon

Mary M. Meyer

From: Niebur, Jay D. [Jay.Niebur@nreca.coop]
Sent: Friday, February 28, 2014 10:17 AM
To: Mary M. Meyer
Cc: Patti Niebur (paniebur@yahoo.com)
Subject: Broadmoor Development proposal @ Ashbrook Drive & Hwy 2

Dear Secretary Mary Meyer,

As owning the closest residence, nearing mortgage pay-off and after paying property taxes on our house for 29 years, we'd like to comment on the Broadmoor Development proposal at Ashbrook Drive & Hwy 2. Please forward these comments to our City Council.

The zoning differences would be too extreme between Pine Lake AGR & the proposed Broadmoor R-4. The zoning codes should promote a gradually changing density usage between neighborhoods. The townhomes built to the north on Ashbrook Drive are a more appropriate match to neighboring zoning & structures.

As we drive Hwy 2 between 56th & 91st Streets, we can see 6 neighborhoods of single-family dwellings. This indicates that people are willing to live along Hwy 2. The proposed R-4 site would be marketable & appropriate for R-3 residences, such as townhouses, single-family dwellings or apartments.

Existing property values will decrease due to towering 3-story apartment buildings next door. Doesn't seem fair for existing homeowners to suffer financially due to drastic changes in zoning codes that are inappropriate for the area.

Thanks for considering our concerns,

Jay & Patrice Niebur
6421 Westshore Drive
Lincoln, NE 68516

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Mary M. Meyer

From: Jennifer Rawlinson [jcrawlson@windstream.net]
Sent: Friday, February 28, 2014 12:22 PM
To: Mary M. Meyer
Subject: Proposed Broodmoor apartment complex (Annexation No. 13004, Change of Zone No. 13020, Special Permit No. 13043)

So much has already been said about Broodmoor's proposal to build two- and three-story apartments on Livingston's Lot 89, so I will try to avoid repeating already-stated opinions.

One of Lincoln's many bright spots is the planned nature of its growth, which creates organization and efficiencies as well as stable property values and happy neighbors. Inconsistent spot zoning is not good City policy and the Comprehensive Plan's goal of increasing density can be accomplished without considering this unusual CUP that is equivalent to R-5 zoning when the buildable acreage is used for the density calculation.

The bottom line? The only conclusion we can reasonably draw is that this project in its current form is simply not compatible with the shortcomings of the location. We've all heard the following statements:

If the project could be built within R-3 zoning . . .

If it was two-story or at least didn't exceed the zoning ordinance height restrictions . . .

If there was a second traffic connection . . .

If there was a traffic signal . . .

If Berean's private and connecting roads were just busy on Sunday mornings. . .

If existing roads had been built to support this level of density . . .

If drivers didn't take the path of least resistance . . .

If the property was priced more competitively . . .

If we didn't have the wetlands to worry about. . .

If Pine Lake didn't have private recreational facilities and a dam to protect . . .

As much as we all want to see Lincoln grow and for the answer to all reasonable development proposals to be "yes," the answer can only be "no" in this situation.

If Broodmoor or another developer chooses to plan a project that is compatible with surrounding property and suits the existing street configuration, none of the exceptions and side agreements will be necessary and the answer could then be an easy "yes." There are better property matches for this type of development, even in close proximity.

And, as for Lot 89? We're hearing from the Council that you are ready for its fate to be determined and we are willing to proactively seek solutions that meet the expectations of all surrounding neighbors and meet City goals. While single family homes would be preferred, it's clear the surrounding developments are comfortable with townhomes and could have supported R-3 with the right type of proposal.

I appreciate the many concessions everyone has made to try to get this proposal approvable but we must respect the fact that we are still trying to put a square peg in a round hole.

If you review the Planning Commission's minutes, you'll see the reasons why they voted to DENY the change of zone and special permit. You'll also note that the Planning Department staff recommendation was CONDITIONAL upon the connection to 84th Street through Eiger Drive and that has not been met.

I know we all appreciate the many hours Council members have taken to research this project. Thank you for your time and effort.

Best regards,

Jennifer Cusick-Rawlinson, Pine Lake resident since 1977
jcrawlinson@windstream.net, 402-560-3319 (cell)

Mary M. Meyer

From: Shawna Fosket [shawnafosket@gmail.com]
Sent: Saturday, March 01, 2014 9:51 PM
To: Mary M. Meyer
Subject: Broadmoor development at 84th and Hwy 2

My husband and I, along w/ our 2 very young children (5 months and 3 yrs) live in the Pine Lake association located at 84th and Hwy 2. This email is to provide our thoughts on the Broadmoor development currently under zoning action proposals. We do not feel an apartment building of any amount of units fits the neighborhood and our small community. Even restricting to fewer units is too many units in our opinion. We would welcome a townhome community, but feel an apartment would create too much traffic (car and foot) on our street. Our street doesn't have lights nor sidewalks. We walk around the lake daily and our 3 year old son loves to be outside. Any increased traffic would create a more dangerous outdoor life for our family. The owners can do all they want to 'tell' their tenants not to use our area, but w/ such a beautiful lake and good walking roads, there will definitely be more traffic in our area. This increased traffic increases the trash and maintenance (that we pay for) needed. We are against the building of any type of apartment complex at that site.

Thank you for your time!

Luke and Shawna Fosket
8030 Northshore Dr

Mary M. Meyer

From: Nicole Carritt [nikki@projectextramile.org]
Sent: Friday, February 28, 2014 2:56 PM
To: Doug Emery; Leirion Gaylor Baird; Jon Camp; Trenton J. Fellers; Roy A. Christensen; Jonathan A. Cook; Carl B. Eskridge
Cc: Teresa Meier
Subject: Letter regarding application by Lincoln Grand Cinema for class I liquor license
Attachments: Lincoln City Council hearing 3.3.14 (Lincoln Grand Cinema).pdf

Good afternoon, Chairman Eskridge and City Councilmembers:

Please see the attached letter outlining the concerns of Project Extra Mile regarding the Class I liquor license application by Lincoln Grand Cinema. The application is set for public hearing at the meeting to be held on March 3, 2014.

We appreciate your consideration of our concerns regarding this application. If you would like additional information, please do not hesitate to contact me at (402) 963-9047 or via email at this email address.

Kind regards,

Nicole Carritt

Executive Director
Project Extra Mile
12165 West Center Rd, Ste. 50
Omaha, NE 68144
Office - 402.963.9047

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Mission: To create a community consensus that underage alcohol use is illegal, unhealthy, and unacceptable.



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To create a community consensus that underage alcohol use is illegal, unhealthy, and unacceptable.

February 27, 2014

Lincoln City Council
555 South 10th Street, Suite 301
Lincoln, NE 68508

Dear Chairman Eskridge and City Councilmembers:

On behalf of Project Extra Mile, a statewide network of community partnerships working to prevent underage drinking and youth access to alcohol, I wanted to take the opportunity to express our concerns regarding the application for a Class I liquor license by Lincoln Grand Cinema.

Underage drinking is a multi-faceted problem that requires a comprehensive, community-wide approach to prevention. Preventing the sale of alcohol in family friendly locations, such as movie theaters, is an important piece of the puzzle in terms of reducing youth access to alcohol and shaping our community landscapes around alcohol.

Additionally, citizens across the state are increasingly concerned about the repercussions of allowing expanded access to alcohol by both youth. This application has revitalized discussion around a city ordinance that protects youth from accessing alcohol by prohibiting those under age 16 without an of-age companion from being in businesses that serve alcohol after 9:00 p.m. The ordinance is reasonable and provides safeguards for young people. We would encourage the city to maintain the ordinance referenced above and to actively enforce it rather than removing it from city code. Communities ultimately benefit by reducing alcohol-related problems when alcohol control policies remain firmly in place.

We appreciate your consideration of our concerns regarding the liquor license application by Lincoln Grand Cinema. If you would like additional information, please do not hesitate to contact me at (402) 963-9047 or via e-mail at nikki@projectextramile.org.

Sincerely yours,

Nicole Carritt, MPH
Executive Director

12165 West Center Road, Suite 50
Omaha, Nebraska 68144
402.963.9047
www.projectextramile.org

Mary M. Meyer

From: Jeff Rawlinson [rawlinson433@gmail.com]
Sent: Sunday, March 02, 2014 10:13 PM
To: Doug Emery; Leirion Gaylor Baird; Roy A. Christensen; Jon Camp; Trenton J. Fellers; Jonathan A. Cook; Carl B. Eskridge
Subject: Broadmor Development at Pine Lake

Dear Council Members,

As a 12 year resident of Pine Lake I want to thank you for the amount of time and effort you have given the Broadmor Development issue. I like most Pine Lake residents am gravely concerned about this latest proposal in our neighborhood. We realize that development of this property is eminent and we share your desire to have this area provide greater support to the Lincoln tax base. We understand there are many ways this can occur and that the most recent proposal is absolutely the wrong direction for this rustic neighborhood and Lincoln as a whole.

This quiet and compact location is simply not capable of supporting the increased vehicular and pedestrian traffic that would most certainly result from this proposal. Quite simply, we are concerned about the safety. We ask that you vote against this proposal.

Regards,

Jeff Rawlinson

MINUTES
DIRECTORS' MEETING
MONDAY, MARCH 3, 2014

Present: Carl Eskridge, Chair; Doug Emery, Vice Chair; Jon Camp; Roy Christensen; Jonathan Cook; Trent Fellers; and Leirion Gaylor Baird

Others: Teresa Meier, City Clerk; Rick Hoppe, Chief of Staff; David Landis, Urban Development Director

Chair Eskridge opened the meeting at 2:03 p.m. and announced the location of the Open Meetings Act.

I. CITY CLERK

Meier stated on today's agenda, under Public Hearing Resolutions would call Items 10 and 11 together. Under Ordinances, 1st Reading, have distributed the Urban Development fact sheet for Item 30. On Item 34 Urban Development has requested 1st and 2nd readings today in order to meet a State deadline. Cook commented there is an update. Landis added he spoke to the State and now have a plan by which Council would follow their normal time procedure.

Cook said liquor permits often have motions to take together, but some might have discussion, like Item 15, which is separate. With Items 10 and 11, one is for the manager and the other for the license. Feel there might be an interest in voting separately. Meier stated she would call separately.

II. MAYOR

Rick Hoppe, Chief of Staff

Hoppe stated a constituent called and was quite agitated about tax and Increment Financing. He asked if we ever said no to TIF projects. Hoppe added they discussed at length, but it did occur to him the public never hears when we say no. In fact no never really makes it to the City Council level. Wanted Landis to explain some of the nos' we have given and the circumstances so Council understands our rationale of moving TIF projects forward to Council.

Landis stated they have said no on a number of occasions for several different reasons. One is timing. We've had projects brought that were so far along we said no. Then because of location. We had relatively open fields which were in a project and we couldn't see the benefit. Unless we went out of our way to identify another location there wasn't life on that spot and we said no. Happened with two locations last year. We have said no when someone brings us the idea of new single family homes, not in existence now. A follow up to the Lincoln Public Schools who stated their reasons about 10 years ago. We did TIF on some land which was going that way and LPS said they don't mind downtown, the city with houses which have paid taxes for many years that are blighted and need reworking. Don't mind the kind of housing units done. But new houses which have never paid taxes and will have children, give LPS more obligation but no new resources. So we've never said yes to these, even though approached. Lastly, have had projects with a RFP, and numerous people all of whom were saying they wanted TIF and for one reason, or another, the terms and conditions we were willing to do, and the terms and conditions they suggested didn't match. Three of these occurred in connection with the Pershing location, one occurred at LumberWorks where we could not even though there was a running RFP, settle on a set of principles which were acceptable to both. These are instances in which they didn't make the paper, and don't come to Council's attention as they're not projects we're looking to cross the finish line with, we do say no. We have several reasons to say no.

III. COUNCIL MEMBERS

JONATHAN COOK - stated he appreciated Landis taking care of the deadline issues. We've had this come up before. We've had deadlines, State mandates to do quickly. When any director is at the point to be concerned with our schedule because of requests to speed up, before acting consider what Landis has done and see if there is an alternative. We don't feel our public process should be compromised when it should make no difference to the contract. Since requests come from different departments ask everyone to keep in mind.

Cook commented we did have a discussion last year regarding fact sheets. Today do thank Landis for the form used. An example of information contained on the fact sheet given. When this form was presented we said we didn't like the old style. The only details listed on the old form are those which go on the agenda, with no other background. Would request, if possible, to use the new form, even though the old style still continues to be around.

Hoppe stated they would include in their cabinet meeting. Gaylor Baird added the new source outlines the funding sources, with old sometimes blank. Appreciate listing Federal funds, etc. and very helpful.

IV. ADJOURNMENT

Chair Eskridge adjourned the meeting at 2:12 p.m.