

**DIRECTORS' MEETING  
MONDAY, APRIL 19, 2010  
COUNTY-CITY BUILDING  
555 S. 10<sup>TH</sup> STREET, ROOM 113  
2:00 P.M.**

**I. CITY CLERK**

**II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS TO COUNCIL**

**MAYOR**

1. NEWS RELEASE. Mayor presents 2009 Award of Excellence to Police Officer Jason Brownell.

**DIRECTORS**

**FIRE DEPARTMENT**

1. Letter from Niles Ford, Fire Chief, on major changes within the organization during the past year.

**HEALTH DEPARTMENT**

1. NEWS RELEASE. 2010 household hazardous waste collections begin April 23<sup>rd</sup>.

**PLANNING DEPARTMENT**

1. Administrative Amendment No. 10011 approved by the Planning Director on April 6, 2010, Change of Zone No. 06063, North 40 Plaza Development Planned Unit Development.
2. Housing and community service providers encouraged to take online survey.

**PUBLIC WORKS AND UTILITIES**

1. ADVISORY. Pre-construction public open house. South 48<sup>th</sup> Street; Calvert Street - Pioneers Boulevard. Improvement Project #70151.

**III. COUNCIL RFI'S AND CITIZEN CORRESPONDENCE TO INDIVIDUAL COUNCIL MEMBERS**

**IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL**

1. Email from Randy Morse strongly opposing extending days to set off fireworks in Lincoln. (Copy to Council Members before meeting on 04.12.10)

**V. ADJOURNMENT**



# NEWS RELEASE

MAYOR CHRIS BEUTLER

[lincoln.ne.gov](http://lincoln.ne.gov)

**CITY OF LINCOLN**  
NEBRASKA

**OFFICE OF THE MAYOR**

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE:** April 12, 2010

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

## MAYOR PRESENTS 2009 AWARD OF EXCELLENCE

Mayor Chris Beutler today presented the Mayor's Award of Excellence for 2009 to Police Officer Jason Brownell. The award recognizes City employees who consistently provide exemplary service and work that demonstrates personal commitment to the City. It was presented at the beginning of today's City Council meeting. All monthly award nominees and winners are eligible to receive the annual award, which comes with a \$500 U.S. savings bond, two days off with pay and a plaque.

Brownell has worked for the Police Department since 2000 and was the 2005 Annual Mayor's Award of Excellence recipient. He was nominated by Sergeant Mark Meyerson in the categories of customer relations, productivity and safety for his work as a Northeast High School Resource Officer to create a Drug and Alcohol Intervention and Prevention Forum. He secured federal grant funds to cover expenses, surveyed students to develop questions and information and obtained merchandise from the Lincoln Police Foundation to provide incentives for student involvement.

In May 2009, about 300 students participated in the forum. Speakers included Police Chief Tom Casady, an emergency room doctor, a substance abuse counselor and a 12-year-old from Iowa who is now a paraplegic after being struck by a drunk driver. Brownell arranged for 5 CITY-TV to record the forum, and the video was shared with area middle and high schools. Meyerson said Brownell displayed keen intellect, outstanding organizational skills and a tireless determination in developing the forum. He said that Brownell works not just to solve crimes, but to prevent them as well.

The 2009 Honorable Mention Award went to a team of arborists from the Forestry section of the Parks and Recreation Department – Dennis Gartner, Jeffrey Gruber, Allen Keen, Joseph Pett and Andrew Walker. The team was the monthly winner in September 2009.

The other categories in which employees can be nominated are valor and loss prevention. Consideration may be given to nominations that demonstrate self-initiated accomplishments or those completed outside of the nominee's job description. All City employees are eligible for the award except for elected and appointed officials. Individuals or teams can be nominated by supervisors, peers, subordinates and the general public. Nomination forms are available at [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: personnel) or from department heads, employee bulletin boards or the Personnel Department, which oversees the awards program. All nominations are reviewed by a committee, which includes a representative with each union and a non-union representative appointed by the Mayor.



Lincoln Fire & Rescue  
Niles Ford, Fire Chief  
1801 "Q" Street  
Lincoln, Nebraska 68508



402-441-7363  
fax: 402-441-7098



MAYOR CHRIS BEUTLER

lincoln.ne.gov

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APR 15 2010

CITY COUNCIL  
OFFICE

04-12-2010

Lincoln Fire and Rescue

To LFR's Internal and External Community Members:

Lincoln Fire and Rescue (LFR) is currently in the process of maintaining its reaccreditation status with the CFAI, Commission on Fire Accreditation International. As recommended, LFR would like to take this opportunity to update you, as an external stakeholder, about the major changes within our organization this past year. Your input is greatly valued and necessary in LFR's continued success as a public safety organization.

- The deployment of an additional front line ambulance, for a total of 6, to further improve response coverage in high concentrated areas.
- Brush 11 moved to Station 10 in order to improve response to grass fires within the primary jurisdiction.
- Battalion 2 moved back to Station 9 for a more centralized response for Battalion 2.
- Truck 8 moved to Station 4 while renovation plans for Station 8 are being reviewed.
- The Training Division moved all fire training to a Job Performance Review (JPR) format as recommended by the accrediting agency's peer assessor team.
- In an effort to better secure the fire stations, LFR installed a key card reader system in all of the stations.
- Our EMS Enterprise continues to decrease and/or pay off the initial Enterfund Ambulance Loan.
- A federal grant was also recently received enabling us, with the city's approval, to purchase one new fire truck in the near future.
- Produced a monthly LFR program to air on Channel 5 TV providing more information to the citizens of our community about our department.
- Lastly, to enhance EMS services, LFR plans to replace two ambulances, in May 2010, to deal with the aging medic unit fleet.

In closing, thank you for your time and support, as we know it reflects your dedication and commitment to your community and your neighbors. If you have any questions, concerns or comments please feel free to visit our website and fill out our "Tell us how we are doing form found at <http://lincoln.ne.gov/city/fire/tellus.htm>. Again, we greatly value your input in efforts to improve our department.

Sincerely,

Niles Ford, Ph.D.  
Fire Chief



# NEWS RELEASE

MAYOR CHRIS BEUTLER



LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
3140 N Street, Lincoln NE 68510 • Phone: 441-8000  
Fax: 441-6229

**FOR IMMEDIATE RELEASE:** April 15, 2010  
**FOR MORE INFORMATION:** Dan N. King, Environmental Health Specialist, 441-8084  
Laurel Erickson, Environmental Educator, 441-8035

## **2010 Household Hazardous Waste Collections Begin April 23**

If your spring cleaning has turned up some unwanted chemicals under the sink, in the basement, or in the garage, bring them to this spring's first Household Hazardous Waste (HHW) Collection, sponsored by the Lincoln-Lancaster County Health Department (LLCHD). The event for Lincoln and Lancaster County households (not businesses) will be held **Saturday, April 23, 2010, from 9 a.m. to 1 p.m. at Walmart at 87<sup>th</sup> & Highway 2**. Each participant will receive a 2010 Official Waste Disposal and Recycling Guide as a reference for safe and appropriate disposal and recycling.

Items accepted at the HHW collection include fluorescent bulbs (CFLs) and tubes, pesticides, paint thinners, stains, polishes and waxes, turpentine, oil-based paint, pool cleaning chemicals, flea and tick powders, rodent poison, charcoal starter fluids, mixed or old gasoline, mercury-containing items including thermometers, upholstery cleaners, grease removers and brake and power steering fluids.

Items that can be recycled or safely disposed of locally **will not** be accepted at the HHW collection: latex paint, motor oil, gas grill cylinders, pharmaceutical waste, electronics, and batteries. For more information about the collections, contact 441-8021 or check the website at [www.lincoln.ne.gov](http://www.lincoln.ne.gov) (keyword: household).

LLCHD encourages you to buy only the amount of household chemicals you need, choose the least toxic alternative, carefully read label directions, and recycle or dispose of them appropriately. This helps protect your health and that of your family, as well as our air, soil, and water.

A second 2010 spring HHW Collection is scheduled at Pfizer, Inc., 601 West Cornhusker Highway, on May 22.

###



# Memorandum

*Date:* ♦ April 13, 2010  
*To:* ♦ City Clerk  
*From:* ♦ Teresa McKinstry, Planning Dept.  
*Re:* ♦ Administrative Amendment approvals  
*cc:* ♦ Jean Preister

This is a list of the Administrative Amendments that were approved by the Planning Director from April 6, 2010 thru April 12, 2010:

**Administrative Amendment No. 10011** to Change of Zone No. 06063, North 40 Plaza Development Planned Unit Development, approved by the Planning Director on April 6, 2010, requested by North 47 Group, LLC, to change four single family lots into eight townhouse lots in the northwest corner of the site and add one single family lot on the west side of Doc's Drive, on property generally located ½ block east of N. 81<sup>st</sup> Street and Regent Drive.

Q:\shared\wp\teresa\AA weekly approvals.wpd

City/County Planning Department  
555 S. 10<sup>th</sup> Street, Rm. 213  
Lincoln NE 68508  
(402) 441-7491



**Mary M. Meyer**

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**From:** Opal G. Doerr  
**Sent:** Wednesday, April 14, 2010 2:01 PM  
**To:** Opal G. Doerr  
**Subject:** Online Survey for Housing & Community Service providers

As someone who receives *The Urban Page* newsletter electronically, you may also be interested in the announcement following this message. If you know someone else who may also be interested, please feel free to forward this message to them. Thank you!

Opal G. Doerr  
Planning Assistant  
City of Lincoln DSC / Urban Development Dept.  
555 S. 10th St, Suite 205  
Lincoln, NE 68508  
402-441-7852

=====  
**Date:**  
April 8, 2010

**For More Information, Contact:**  
Wynn Hjermstad, Community Development Mgr., 441-8211  
Kurt Elder, GIS Analyst, 441-7874

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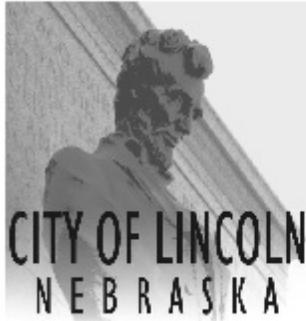
## Housing and Community Service Providers Encouraged to Take Online Survey

The City Urban Development Department is asking housing and community service providers to complete an online survey to help it determine the best use of federal grant funds. The survey will help the department develop a strategic plan for 2010 through 2013 for the City's use of Community Development Block Grant (CDBG) and HOME funds, which primarily serve low- and moderate-income residents and neighborhoods.

The department is encouraging those involved with housing and community services issues through work or as volunteers to share their priorities through the survey, which will be available at [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: urban) until Wednesday, April 21st. The draft strategic plan will be available at that address beginning June 11, and a public open house will be held in June to review the plan. Written public comments on the plan will be accepted until July 12.

For more information, contact Kurt Elder, a GIS Analyst for Urban Development, at 441-7874 or [kelder@lincoln.ne.gov](mailto:kelder@lincoln.ne.gov).

Opal G. Doerr  
Planning Assistant  
City of Lincoln DSC / Urban Development Dept.  
555 S. 10th St, Suite 205  
Lincoln, NE 68508  
402-441-7852



# PUBLIC WORKS & UTILITIES ADVISORY

MAYOR CHRIS BEUTLER

[lincoln.ne.gov](http://lincoln.ne.gov)

April 13, 2010

## **PRE-CONSTRUCTION PUBLIC OPEN HOUSE South 48th Street; Calvert Street - Pioneers Boulevard Improvement Project #701751**

The City of Lincoln is hosting an informational open house regarding the South 48th Street Streetscape and Roadway Project between Calvert Street and Pioneers Boulevard on Monday, April 19, 2010 from 4:30 to 6:30 p.m. at College View Church, 4801 Prescott Avenue. Please park in the lot off of Lowell Avenue and enter from the south.

This project includes street rehabilitation, water main replacement, new storm sewer, street lights, traffic signal, and streetscape amenities. Construction is scheduled to begin Monday, May 3, 2010. Dobson Brothers Construction will be the contractor.

This meeting will be in open house format. The public is invited to stop by anytime between 4:30 and 6:30 pm. This meeting will be an opportunity to meet the contractor and learn about the construction schedule and phasing and also to ask questions. Representatives from the City's Public Works and Urban Development Departments will also be there. If you are unable to attend, you can contact the project engineer at the number listed below with any questions or concerns.

Project Engineer: Holly Lionberger, Engineering Services

Phone: (402) 441-8400

Email: [hlionberger@lincoln.ne.gov](mailto:hlionberger@lincoln.ne.gov)

## Mary M. Meyer

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**From:** Randy Morse [sombobrasil@windstream.net]  
**Sent:** Monday, April 12, 2010 11:02 AM  
**To:** Mary M. Meyer  
**Subject:** Fireworks in Lincoln

**Importance:** High

Dear City Council Members:

I am STRONGLY opposed to extending the number of days on which setting off fireworks in Lincoln is legal. Even as the law stands now, many domestic animals are traumatized by the noise, and I'm sure birds and other wildlife are likewise affected. Personally, I find the noise extremely aggravating.

The streets of my neighborhood are like a war zone with explosions everywhere and the air filled with acrid, toxic smoke which is probably carcinogenic. (Remember, these bombs are made in China, a country where heavy metals are often found in products.)

Before I moved to Lincoln 22 years ago, I lived in a State that not only banned fireworks but actually enforced the law. It was quiet except for the beautiful, official fireworks displays. Back then, July Fourth was one of my favorite holidays. Since moving to Lincoln, I dread the holiday and try to be out of town when I can.

Please do not make us -- and the animals -- endure even more days of noise and pollution!

Sincerely,

Randy Morse  
2930 Jackson Drive

**DIRECTORS' AGENDA  
ADDENDUM  
MONDAY, APRIL 19, 2010**

**I. CITY CLERK**

**II. CORRESPONDENCE FROM THE MAYOR & DIRECTORS**

**MAYOR**

1. NEWS RELEASE. Mayor welcomes visitors for spring football game.
2. NEWS ADVISORY. Mayor Beutler's public schedule for week of April 17, 2010 through April 23, 2010.

**DIRECTORS**

**PLANNING DEPARTMENT**

1. April, 2010 Nebraska Capitol Environs Commission meeting cancelled.
2. Planning Factsheet, Annexation No. 10002.

**PUBLIC WORKS AND UTILITIES**

1. ADVISORY. Proposed arterial rehabilitation projects. Northwest 1<sup>st</sup> Street; Highlands Boulevard - Fletcher Avenue.

**III. COUNCIL RFI'S & CITIZENS CORRESPONDENCE TO INDIVIDUAL COUNCIL MEMBERS**

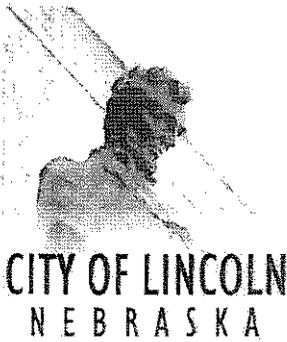
**IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL**

- 1a. Derek Zimmerman, Baylor, Evnen, Curtiss, Gruit & Witt, LLP correspondence on Bill #10-40.
  - 1b. Letter from Derek Zimmerman, Baylor Evnen, regarding Bill No. 10-40.

**V. INVITATIONS**

1. **National Volunteer Week / Volunteer Recognition Event  
Lancaster County Extension Education Center  
444 Cherrycreek Road**

**Sunday, April 25th  
2:00 p.m. to 3:30 p.m.**



# NEWS RELEASE

MAYOR CHRIS BEUTLER

[lincoln.ne.gov](http://lincoln.ne.gov)

## OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE:** April 15, 2010

**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831  
Captain Bob Kawamoto, Police Department, 441-7751  
Scott Opfer, Public Works and Utilities, 441-7851  
Ken Smith, City Parking Manager, 441-6097  
Kitty Miller, StarTran, 441-7185

### MAYOR WELCOMES VISITORS FOR SPRING FOOTBALL GAME

Mayor Chris Beutler today welcomed visitors coming to Lincoln for the annual Husker spring football game at Memorial Stadium and urged them to plan ahead for travel and parking. Interstate 80 exits can be very congested on game days, so fans are encouraged to use Highway 6 (Cornhusker Highway), Highway 34 ("O" Street), the West Bypass and the Airport Exit as alternate routes. The City has no major street construction projects under way that would adversely affect traffic flow.

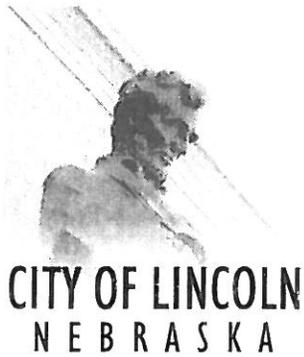
The City recommends reserving pre-paid, event parking at either [lincoln.ne.gov](http://lincoln.ne.gov) or [parkitdowntown.org](http://parkitdowntown.org) until midnight Friday. City parking facilities offering all-day parking at the following garages and lots:

- Haymarket Garage, 848 "Q" St. - \$6
- Carriage Park Garage, 1128 "L" St. - \$5
- Center Park Garage, 1120 "N" St. - \$5
- Cornhusker Square Garage, 1220 "L" St. - \$5
- Market Place Garage, 925 "Q" St. - \$6
- Que Place Garage, 1111 "Q" St. - \$6
- University Square Garage, 101 N. 14th St. - \$6
- Iron Horse Lot, 201 N. 7th St. - \$6
- "Q" Street surface parking between 13th and 14th streets - \$6

In addition to its regular routes, StarTran will provide Big Red Express bus service at two locations:

- Southpointe Pavilions, 27th and Pine Lake, south side between VonMaur and Coldwater Creek.
- North Star High School, 5801 N. 33rd St., six blocks east of North 27th and Folkways Blvd.

Buses will drop-off and depart from the east side of the stadium. The cost is \$4 each way, and passengers will need exact change. The last buses will leave from the express lots to the stadium about 45 minutes prior to kickoff. Buses will depart immediately following the conclusion of the game. For more information, call 476-1234 or visit [startran.lincoln.ne.gov](http://startran.lincoln.ne.gov).



# NEWS ADVISORY

MAYOR CHRIS BEUTLER

lincoln.ne.gov

Date: April 16, 2010

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

## **Mayor Beutler's Public Schedule** **Week of April 17 through 23, 2010** *Schedule subject to change*

Saturday, April 17

- Prime Time Family Reading program, remarks - 1 p.m., Bennett Martin Library, 136 S. 14th St.
- UNL Wildlife Club's annual student awards banquet, medallion presentations - 6 p.m., City Campus Union, 14th and "R" streets (Regency Suite)

Sunday, April 18

- Lincoln City Libraries annual volunteer recognition, remarks - 2:15 p.m., Auld Recreation Center, 3140 Sumner (Antelope Park)

Monday, April 19

- "Taking Charge" news conference - 1:30 p.m., Room 303, County-City Building, 555 S. 10th St.
- Mayor's Award of Excellence presentation - 3 p.m., City Council Chambers, City-County Building.
- Lincoln Amateur Radio Club proclamation - 3 p.m. (follows Award of Excellence), City Council Chambers
- Nebraska Restaurant Association's 2010 "Taste of Nebraska" annual awards banquet - 6 p.m., Cornhusker Marriott Hotel, 333 S. 13th St.

Tuesday, April 20

- Lincoln Rotary Club #14, accepting honorary membership - noon, Nebraska Club, U.S. Bank Building, 233 S. 13th St.
- KZUM "Blog Talk Live" - 6 p.m., 941 "O" St.

Wednesday, April 21

- KLIN Morning Show - 8:10 a.m., Broadcast House, 4343 "O" St.
- Parks and Recreation Arbor Day celebration, remarks and proclamation - 9:30 a.m., Arnold Heights Elementary, 5000 Mike Scholl St.
- 2010 Civil Rights Conference awards luncheon, remarks - 11:30 a.m., Cornhusker Marriott Hotel

- more -

## **Mayor's Public Schedule**

**April 16, 2010**

**Page Two**

Thursday, April 22

- KFOR Morning Show - 7:45 a.m.
- News conference - 10 a.m., topic and location to be announced
- International Visitors from Bahrain and East Jerusalem - 9:30 a.m., Mayor's Conference Room, County-City Building (third floor)
- The Landing, remarks to residents - 1:30 p.m., The Landing, 3700 Faulkner
- Earth Day Forum, remarks - 7:30 p.m., East Campus Union

Friday, April 23

- Mayor's Interfaith Prayer Breakfast, remarks - 7:30 a.m., Holiday Inn Downtown, 141 N. 9th St.
- Nebraska Dental Day, remarks - 8 a.m., Cornhusker Marriott Hotel
- Earth Day tree planting ceremony - 4 p.m., McPhee Elementary School, 820 Goodhue Blvd.

## Jean Preister

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**From:** Michele M. Abendroth  
**Sent:** Friday, April 16, 2010 3:39 PM  
**To:** 'Adam Herink'; Ed Zimmer; 'Gordon Scholz'; 'Gregory Gustafson'; 'Ian Singh'; Jean Preister; Jerry J. Shorney; 'Jon Yoachim'; 'Ken Fougeron'; Lynn Johnson; 'Lynnette Nelson'; Marvin S. Krout; Nicole Fleck-Tooze; 'robert.ripley@nebraska.gov'; 'Steve Miller'; 'Stuart Long'; 'tlorenz@pershingcenter.com'; 'tstickney@pershingcenter.com'; Cecil Steward; Jeff Searcy; Jim Hewitt; John Kay; Kim Todd; Larry Stoll; Tom Laging  
**Subject:** Nebraska Capitol Environs Commission - April 2010 Meeting Cancelled

The **April 2010** Nebraska Capitol Environs Commission meeting has been cancelled as no agenda items were received.

Review of the Centennial Mall Master Plan is anticipated to take place at the May 27 meeting.

If you have any questions, please feel free to call the Planning Department at 441-7491.

### **Michele Abendroth**

Lincoln/Lancaster County Planning Department  
555 South 10th Street, Suite 213  
Lincoln, NE 68508  
402-441-6164

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City Council Introduction: **Monday**, April 19, 2010  
Public Hearing: **Monday**, April 26, 2010, at **5:30 p.m.**

APR 16 2010

Bill No. 10-40

**FACTSHEET**

CITY COUNCIL  
OFFICE

**TITLE:** ANNEXATION NO. 10002, by the Director of Planning at the request of Firethorn Golf Company to annex approximately one acre, more or less, generally located southeast of the intersection of South 84<sup>th</sup> Street and Van Dorn Street.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 03/24/10 and 04/07/10  
Administrative Action: 04/07/10

**STAFF RECOMMENDATION:** Approval.

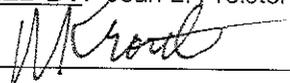
**RECOMMENDATION:** Approval (7-0: Cornelius, Larson, Taylor, Esseks, Gaylor Baird, Francis and Sunderman voting 'yes'; Lust and Partington absent.

**FINDINGS OF FACT:**

1. This annexation request was heard by the Planning Commission in association with a request to amend the Firethorn Community Unit Plan to allow a second golf clubhouse within the Firethorn development (Special Permit No. 872G).
2. This is a request to annex 1.02 acres, more or less, in order to connect the additional golf clubhouse to City water and sewer.
3. The staff recommendation of approval is based upon the "Analysis" as set forth on p.5-6, concluding that the additional golf clubhouse facility must be annexed to connect to City water and sewer. If approved, the use of the site will not change significantly, as this part of the Firethorn development will continue to be used as a golf course. The main difference is that it will be public instead of private with a new clubhouse. This request complies with the intent of the Zoning Ordinance and is consistent with the Comprehensive Plan. The staff presentation is found on p.8.
4. Testimony on behalf of the applicant is found on p.8.
5. There was no testimony in opposition.
6. On April 7, 2010, the Planning Commission agreed with the staff recommendation and voted 7-0 to recommend approval.
7. On April 7, 2010, the Planning Commission also voted 7-0 to adopt Resolution No. PC-01203 approving the associated Special Permit No. 872G amending the community unit plan, a copy of which was previously provided to the City Council.

**FACTSHEET PREPARED BY:** Jean L. Preister

**DATE:** April 12, 2010

**REVIEWED BY:** 

**DATE:** April 12, 2010

**REFERENCE NUMBER:** FS\CC\2010\ANNEX.10002

# LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for April 7, 2010 PLANNING COMMISSION MEETING

- PROJECT #:** Annexation #10002 - West 9 Clubhouse  
Special Permit #872G - To amend Firethorn Community Unit Plan (CUP).
- PROPOSAL:** A request to amend the Firethorn CUP to allow an additional golf clubhouse and annex the land it is situated on so public utilities can be extended to serve it.
- LOCATION:** Southeast of the intersection of South 84<sup>th</sup> and Van Dorn Streets
- LAND AREA:** AN#10002 - Approximately 1.02 acres more or less.  
SP#872G - Approximately 60.74 acres.
- WAIVERS:** 1. Design Standard Chapter 3.45 Section 3.5 - Extend the time a nonpermanent lot may remain graveled from two to five years.
- CONCLUSION:** The facility must be annexed to connect to City water and sewer. If approved, the use of the site will not change significantly, as this part of the Firethorn development will continue to be used as a golf course, the main difference being it will be public instead of private with a new clubhouse. After further review it was determined that the signs allowed by the Zoning Ordinance are adequate, and so the only needed adjustment is to parking lot paving. Given that the facility is temporary, the low intensity nature of the use, and the surrounding land uses, not requiring the parking lot to be paved for five years is appropriate. These requests comply with the intent of the Zoning Ordinance and are consistent with the Comprehensive Plan subject to the recommended conditions of approval.

## **RECOMMENDATION:**

Annexation #10002

Special Permit #872G

Approval

Conditional Approval

## **GENERAL INFORMATION:**

- LEGAL DESCRIPTION:** AN#10002 - See attached.  
SP#872G - The remaining portion of Outlot A, Firethorn 17<sup>th</sup> Addition, Lancaster County, Nebraska.
- EXISTING ZONING:** AGR Agricultural Residential

## **SURROUNDING LAND USE AND ZONING:**

North	Agriculture, Residential	AG
East	Golf Course, Residential	AGR, R-3
West	Single and Multiple-family Residential, Commercial, Office	R-3, O-3
South	Residential, Office, Golf Course	R-3, O-3

**EXISTING LAND USE:** Golf Course

## **COMPREHENSIVE PLAN SPECIFICATIONS:**

**Pg 5** - The following principles are based on this One Community Vision and describe the desired end state:

- All of the communities and people of Lancaster County work together to implement a common plan providing for mutual benefit.

-Lincoln remains a single community. The policies of a single public school district, drainage basin development, and provision of city utilities only within the city limits continue to be a positive influence and help shape the City for decades to come. These policies are sustained in order to preserve our ability to move forward as one community.

**Page 9** - Overall Form - Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods.

**Pg 17** - Future Land Use Map - This area is designated for open space.

**Page 21** - Urban Growth Tiers - This site is in Tier 1, Priority C.

## **HISTORY:**

**DEC 1979** - City Council approved Special Permit #872 for the Sunterra CUP and preliminary plat.

**MAR 1981** - City Council approved final plat for Sunterra Addition.

**MAY 1984** - City Council approved Special Permit #872A, amending the Community Unit Plan and preliminary plat, changing the name of the subdivision from Sunterra to Firethorn, vacating the original final plat, and approving a new final plat.

**JAN 1985** - City Council approved Special Permit #872B for Firethorn 1st Addition CUP.

**MAR 1985** - The Planning Director approved Administrative Amendment #450, adjusting the layout of the golf course.

**JUN 1986** - The Planning Director approved Administrative Amendment #512, increasing the width of lot 19, block 2.

**MAY 1985** - City Council approved Firethorn 2nd Addition. In 1989, zoning was changed from AG to AGR.

**FEB 1989** - The Planning Director approved Firethorn 3rd Addition and Administrative Amendment #638, converting three lots to nonbuildable lots.

**JUL 1989** - The City Council approved Special Permit #872C for Firethorn 5th Addition CUP .

**JUL 1989** - The Planning Director approved Administrative Amendment #677 to Special Permit #872A, superseding Firethorn 1st Addition.

**NOV 1989**, the Planning Director approved Firethorn 4th Addition.

**NOV 1989** - The Planning Director approved Firethorn 7th Addition.

**DEC 1989** - The Planning Director approved Firethorn 6th Addition.

**MAY 1990** - The Planning Director approved Administrative Amendment #90031, for a starter shack for the golf course.

**DEC 1990** - The Planning Director approved Firethorn 8th Addition.

**MAR 1991** - The Planning Director approved Administrative Amendment #91013, converting Lot 1 to a buildable lot.

**AUG 1992** - The Planning Director approved Firethorn 10th Addition and Administrative Amendment #92057 transferring a dwelling unit to a new lot.

**OCT 1992** - The Planning Director approved Administrative Amendment #92062 for a storage building.

**OCT 1994** - The Planning Director approved Firethorn 11th Addition and Administrative Amendment #94081, increasing the size of lot 2, block 3.

**JUL 1997** - The Planning Director approved Administrative amendment # 97027 to shift boundary of CUP.

**SEP 1997** - The Planning Director approved Firethorn 12th Addition final plat.

**OCT 1997** - The Planning Director approved Firethorn 13th Addition final plat and Administrative Amendment #97046 to shift lot lines.

**JAN 1998** - City Council approved Firethorn 1st Addition Preliminary Plat and Firethorn Community Unit Plan Special Permit #872D on February 24, 1998.

**APR 1998** - City Council approved Special Permit #872E to amend the Firethorn Community Unit Plan to exclude the area at the northwest corner now zoned O-3 and approved for office uses.

**MAY 1998** - The Planning Director approved Firethorn 14th Addition final plat.

**JUN 1998** - The Planning Director approved Firethorn 16th Addition final plat.

**JUN 1998** - The Planning Director approved Firethorn 17th Addition final plat.

**JUL 1998** - The Planning Director approved Firethorn 15th Addition final plat.

**AUG 1998** - The Planning Director approved Firethorn 19th Addition final plat.

**SEP 1998** - The Planning Director approved Firethorn 18th Addition final plat.

**OCT 1998** - Administrative Amendment #98070 was approved to adjust lot lines.

**NOV 1998** - The Planning Director approved Firethorn 20th Addition final plat.

**AUG 1999** - The Planning Director approved Firethorn 22th Addition final plat.

**APR 2001** - Administrative Amendment #01030 was approved to add a restroom facility on the golf course and add a canopy.

**AUG 2001** - Administrative Amendment #01065 was approved to increase the size of the restroom facility on the golf course.

**DEC 2005** - The Planning Director approved Firethorn 23th Addition final plat.

**NOV 2006** - AN#06020, CZ#06077 and SP#872F were approved to annex and change the zoning from AGR to R-3 for the residentially-developed portions of development, and to increase the number of allowed units within the CUP to 545 units after up-sizing a portion of, and connecting to the City's sanitary sewer system.

**FEB 2009** - AN#09002 was approved annexing approximately 1.88 acres for the construction of golf course maintenance building.

## SPECIFIC INFORMATION:

### UTILITIES & SERVICES:

- A. **Sanitary Sewer:** With the annexation and last major amendment to the CUP, the old package/wetland treatment system was abandoned and a new pump station and force main were subsequently installed and connected to the City's sanitary sewer system in Pioneer Greens south of South 86<sup>th</sup> Street and Pioneers Blvd. Approximately 1,240' of public sewer line east of South 84<sup>th</sup> Street was up-sized from 8" to 10" to provide adequate capacity.
- B. **Water:** Since annexation the development is also now served by the City's water system. The 16" public water main in Pioneers Blvd was extended to Thorn Court, and the old private system was left in place to be used for watering lawns or other outdoor uses.
- C. **Roads:** Firethorn is accessed via South 84<sup>th</sup> Street, Pioneers Blvd, Van Dorn Street, and South 98<sup>th</sup> Street. South 84<sup>th</sup> Street is an improved, four-lane arterial street, Pioneers Blvd is a two-lane rural asphalt road east of South 86<sup>th</sup> Street, as is Van Dorn Street east of South 84<sup>th</sup> Street, and South 98<sup>th</sup> Street is a gravel road. The internal asphalt street system is private. Sidewalks and street lights were waived when the Firethorn CUP was approved.

### ANALYSIS:

1. This is a request to both annex approximately 1.02 acres of land and to amend the Firethorn CUP to allow a second golf clubhouse within the Firethorn development. The applicant has entered into a five year lease for the nine-hole golf course in the northwest portion of Firethorn, and intends to operate it as a public facility which will include golf instruction and a driving range.
2. The clubhouse is to be connected to city water and sewer, which consistent with adopted City policy requires annexation to receive those services. The 0.80 parcel where the proposed clubhouse is to be sited is adjacent to the 1.88 acre tract which was annexed last year for the purpose of constructing a maintenance building used in the upkeep of the golf course and common open areas.
3. The City's utilities were extended to those areas included in the last major amendment to the Firethorn CUP when the residential portions of the development that were annexed. One of the requirements of the annexation was the up-sizing of public sanitary sewer line to accommodate the additional demand. This improvement resulted in enough additional capacity to support higher density within the Firethorn CUP, including this proposed clubhouse.
4. The application notes the lease of the facility is for five years, with the possibility of annual extensions, and is not planned as a permanent facility. To accommodate the use, adjustments are requested and each is addressed individually below:

**A. Extend the time a nonpermanent lot may remain graveled from two to five years.** The Design Standards allow for nonpermanent lots with gravel surfacing for up to two years. The applicant has requested this standard be adjusted to five years, consistent with the lease for the facility, with the ability to extend the adjustment a year at a time by administrative amendment.

Understanding that the use is temporary, is not considered an intensive use, and will be surrounded by golf course on three sides, the impact of delaying paving appears negligible. The closest and potentially most affected neighbor is the Lincoln Benefit Life Insurance (LBL) building adjacent to the west. There is a berm with some associated landscaping between the proposed clubhouse and LBL which serve to both screen and buffer. Staff is of the understanding that LBL does not object to this request.

At the end of five years if the parking lot is still needed, the applicant would have the option of either paving it or requesting an extension through an administrative amendment.

**B. Adjust the sign requirements to allow an additional 32 square foot freestanding sign.** After further review and discussion with staff, it has been determined that adequate signage is allowed by the zoning district and that no adjustment to the sign requirements is needed contrary to request included in the applicant's letter. The area of the amendment is zoned AGR, and the Zoning Ordinance allows either one wall or freestanding sign up to 70 square feet in area per frontage. Given this facility has frontage along South 84<sup>th</sup> Street, Van Dorn, South 91<sup>st</sup> Street and Firethorn Lane the applicant finds that adequate signs are allowed.

5. Public Works notes that a specific location for the second clubhouse is not shown. So while the waiver to parking lot paving may be appropriate in the area where the clubhouse is presently proposed, it may not be appropriate in another location. Public Works recommends the location of the second clubhouse be shown.
6. Minor corrections or revisions are required to the site plan, and are noted in the recommended conditions of approval.

This approval permits a second clubhouse with an adjustment to allow a gravel nonpermanent parking lot for up to five years.

Prepared by:

Brian Will, 441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)  
Planner  
March 24, 2010

**APPLICANT/  
CONTACT:**

Brad Marshall  
Olsson Associates  
1111 Lincoln Mall  
Lincoln, NE 68502  
402.434.6311

**OWNER:**

Firethorn Golf Company  
9301 Firethorn Lane  
Lincoln, NE 68520

**ANNEXATION NO. 10002**  
**and**  
**SPECIAL PERMIT NO. 872G,**  
**AMENDMENT TO THE FIRETHORN COMMUNITY UNIT PLAN**

**REQUEST FOR DEFERRAL:**

March 24, 2010

Members present: Larson, Partington, Taylor, Esseks, Gaylor Baird, Francis and Cornelius; Lust and Sunderman absent.

The Clerk announced that the applicant has submitted a written request for two-week deferral to advertise a revised legal description on the annexation request.

Francis moved to defer, with continued public hearing and action scheduled for Wednesday, April 7, 2010, seconded by Gaylor Baird and carried 7-0: Larson, Partington, Taylor, Esseks, Gaylor Baird, Francis and Cornelius; Lust and Sunderman absent.

**CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:**

April 7, 2010

Members present: Cornelius, Larson, Taylor, Esseks, Gaylor Baird, Francis and Sunderman; Lust and Partington absent.

Ex Parte Communications: None.

Staff recommendation: Approval of the annexation and conditional approval of the amendment to the community unit plan.

Staff presentation: **Brian Will of Planning staff** explained the proposal. The area proposed for annexation is southeast of the intersection of 84<sup>th</sup> and Van Dorn, just northeast of Lincoln Benefit Life. About a year ago, the area just to the south was annexed for a maintenance building in support of maintenance activities for the golf course so that utilities could be provided to that property. This request will allow a second clubhouse to be placed on this site and utilities can be provided to that property. The associated amendment to the CUP is for the addition of the second clubhouse. This application was deferred two weeks ago because the area initially proposed for annexation expanded after the submittal of the initial application.

Proponents

1. **Derek Zimmerman** appeared on behalf of the tenant for the proposed site to answer any questions. He agreed with the staff recommendation and the conditions of approval on the special permit.

There was no testimony in opposition.

**ANNEXATION NO. 10002**

**ACTION BY PLANNING COMMISSION:**

April 7, 2010

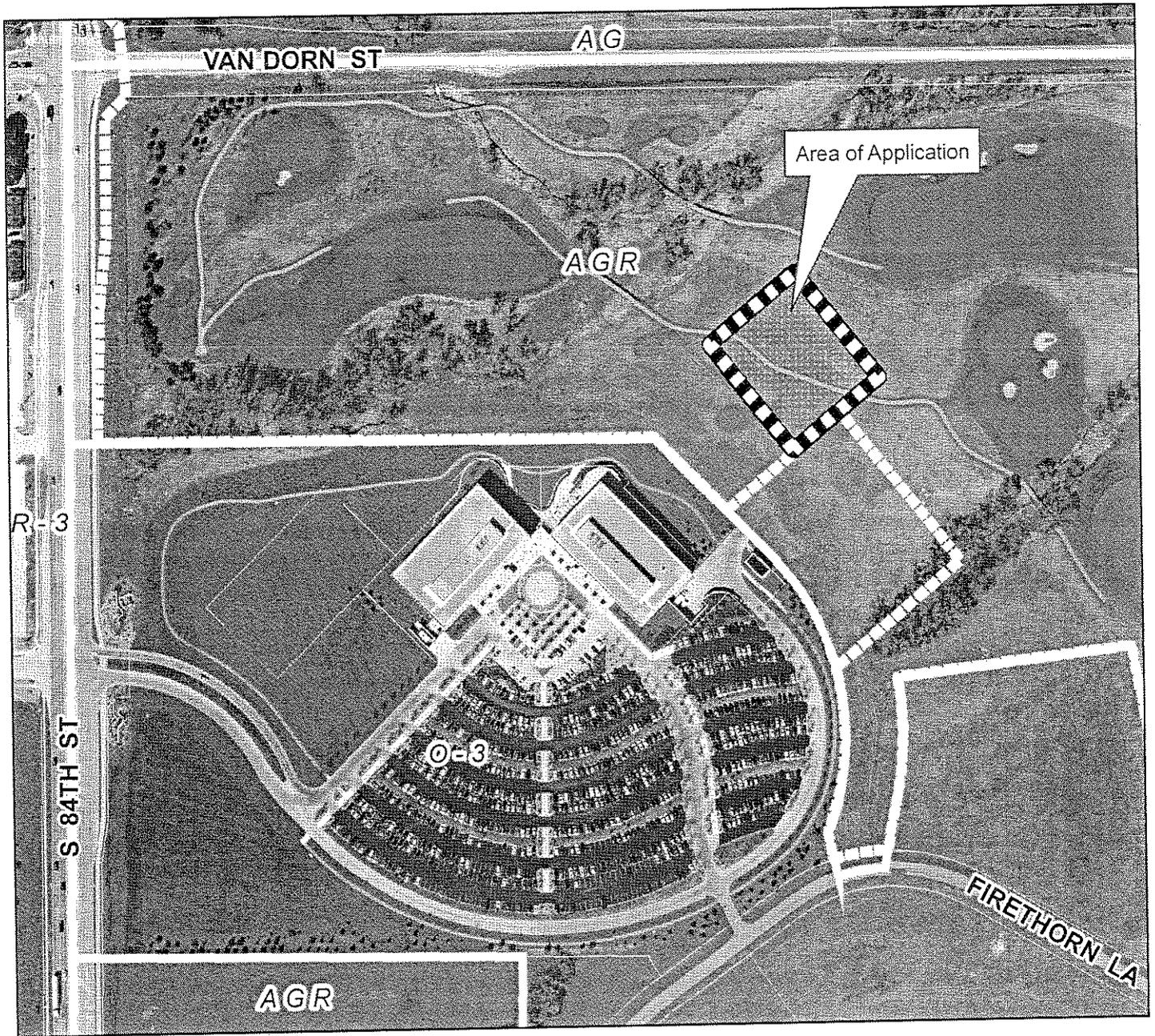
Larson moved approval, seconded by Francis and carried 7-0: Cornelius, Larson, Taylor, Esseks, Gaylor Baird, Francis and Sunderman voting 'yes'; Lust and Partington absent. This is a recommendation to the City Council.

**SPECIAL PERMIT NO. 872G**

**ACTION BY PLANNING COMMISSION:**

April 7, 2010

Taylor moved to approve the staff recommendation of conditional approval, seconded by Larson and carried 7-0: Cornelius, Larson, Taylor, Esseks, Gaylor Baird, Francis and Sunderman voting 'yes'; Lust and Partington absent. This is final action, unless appealed to the City Council within 14 days.



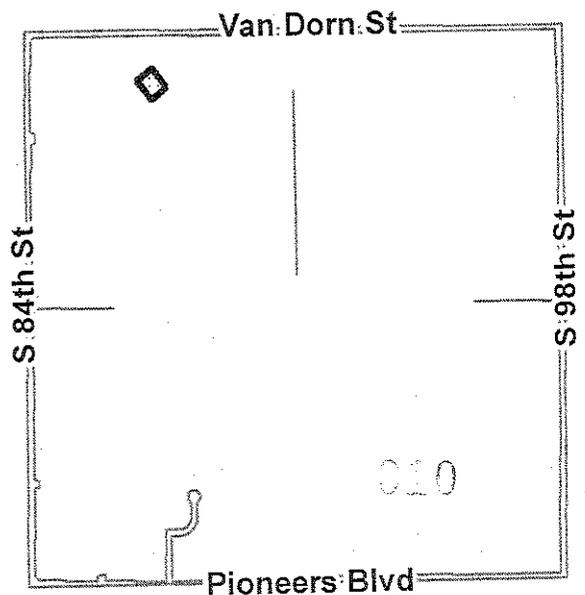
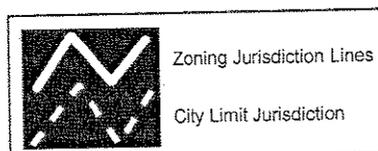
2007 aerial

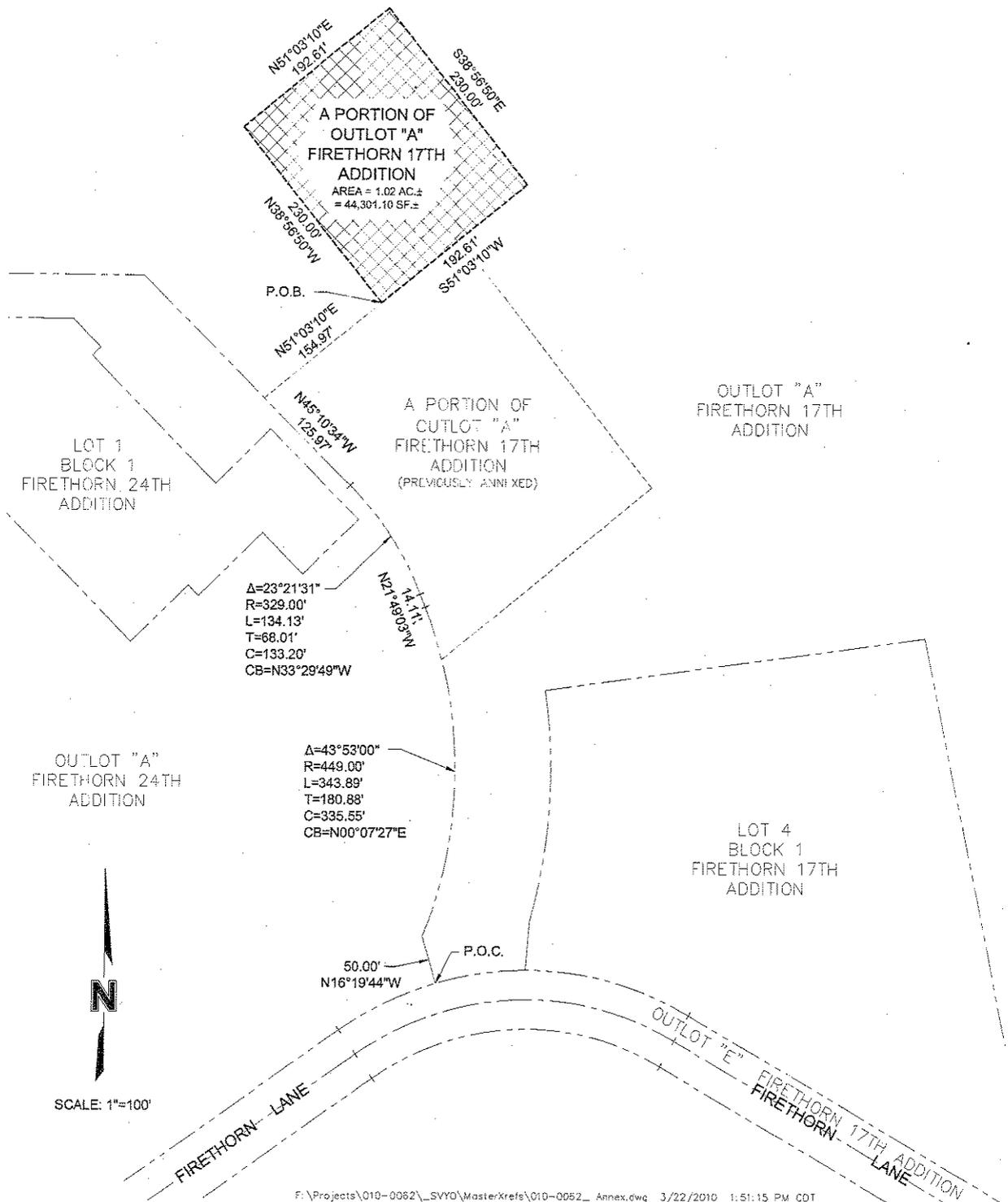
**Annexation #10002  
S 84th & Van Dorn St**

**Zoning:**

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

One Square Mile  
Sec. 02 T09N R07E





N  
SCALE: 1"=100'

**LEGAL DESCRIPTION  
ANNEXATION**

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A PORTION OF OUTLOT "A", FIRETHORN 17<sup>TH</sup> ADDITION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A SOUTHWEST CORNER OF SAID OUTLOT "A", SAID POINT BEING A SOUTHEAST CORNER OF OUTLOT "A", FIRETHORN 24<sup>TH</sup> ADDITION; THENCE NORTHERLY ALONG A WEST LINE OF SAID OUTLOT "A", FIRETHORN 17<sup>TH</sup> ADDITION ON AN ASSUMED BEARING OF N16°19'44"W, A DISTANCE OF 50.00' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 43°53'00", A RADIUS OF 449.00', AN ARC LENGTH OF 343.89' ALONG A WEST LINE OF SAID OUTLOT "A", A TANGENT LENGTH OF 180.88', A CHORD LENGTH OF 335.55', AND A CHORD BEARING OF N00°07'27"E TO A POINT; THENCE N21°49'03"W ALONG A WEST LINE OF SAID OUTLOT "A", A DISTANCE OF 14.11' TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 23°21'31", A RADIUS OF 329.00', AN ARC LENGTH OF 134.13' ALONG A WEST LINE OF SAID OUTLOT "A", A TANGENT LENGTH OF 68.01', A CHORD DISTANCE OF 133.20', AND A CHORD BEARING OF N33°29'49"W TO A POINT; THENCE N45°10'34"W ALONG A SOUTHWEST LINE OF SAID OUTLOT "A", A DISTANCE OF 125.97' TO A POINT; THENCE N51°03'10"E, A DISTANCE OF 154.97' TO **THE TRUE POINT OF BEGINNING**; THENCE N38°56'50"W, A DISTANCE OF 230.00' TO A POINT; THENCE N51°03'10"E, A DISTANCE OF 192.61' TO A POINT; THENCE S38°56'50"E, A DISTANCE OF 230.00' TO A POINT; THENCE S51°03'10"W, A DISTANCE OF 192.61' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 44,301.10 SQUARE FEET OR 1.02 ACRES, MORE OR LESS.



February 24, 2010

Mr. Marvin S. Krout  
Planning Director  
Planning Department  
555 South 10<sup>th</sup> Street, Suite 213  
Lincoln, Nebraska 68508

RE: Annexation request  
Olsson Project No. 010-0062

Dear Marvin:

On behalf of the owner of Firethorn Golf Course, Firethorn Golf Company, LLC, I am requesting the annexation of a portion of Outlot "A", Firethorn 17<sup>th</sup> Addition into the City of Lincoln. I have attached a metes and bounds legal description and exhibit for your reference.

The proposed annexation is to facilitate the supply of Public Water and Sanitary Sewer to a proposed "West 9" course clubhouse and golf course training facility. The maintenance facility was recently annexed and is served by public water and sewer. The water and sewer services will be extended from this area to the proposed facility.

The proposed West 9/Learning Center facility will be accessed from an existing drive at 8780 Firethorn Lane. The driveway currently is used to access the maintenance facility.

If you require further information or have any questions, please call me at 402.458.5632.

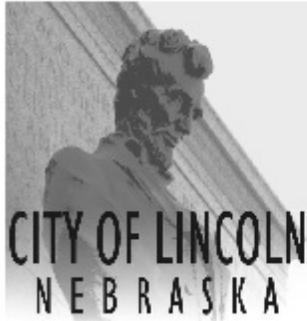
Sincerely,

A handwritten signature in cursive script that reads "Brad J. Marshall".

Brad J. Marshall, P.E.

CC Mark Wible, Firethorn Golf LLC  
Jennifer Strand, Woods & Aitken LLP  
Mark Hunzeker, Baylor Evnen, Curtiss, Gritmit & Witt, LLP

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# PUBLIC WORKS & UTILITIES ADVISORY

MAYOR CHRIS BEUTLER

[lincoln.ne.gov](http://lincoln.ne.gov)

## **American Recovery and Reinvestment Act Projects**

### Proposed Arterial Rehabilitation Projects

#### **Northwest 1st Street; Highlands Boulevard - Fletcher Avenue**

The City of Lincoln proposes to mill and overlay Northwest 1st Street from Highlands Boulevard to Fletcher Avenue starting the week of April 26, 2010 weather permitting. The existing pavement will be milled and overlaid with new asphalt. Sub-standard ADA facilities (i.e. curb ramps and truncated domes) will be reconstructed to meet minimum requirements at all intersections. Detours for through traffic will be required during milling and overlay operations. The City will work with local businesses regarding access during construction. Access to local residences will be restricted at times. The contractor will be Pavers Inc.

Information on all City of Lincoln Recovery Act Projects are available on the City's web site at [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: recovery). If you have questions or comments, please contact one of the following:

Erika Nunes  
Engineering Services  
(402) 441-5675  
[enunes@lincoln.ne.gov](mailto:enunes@lincoln.ne.gov)

Warren Wondercheck, Project Manager  
Engineering Services  
(402) 441-7014  
[wwondercheck@lincoln.ne.gov](mailto:wwondercheck@lincoln.ne.gov)

Mike Tidball  
Pavers Inc.  
(402) 786-5900

City Project Number 701809

State Project Number LCLC - 5236 (2), CN 13040

## Mary M. Meyer

---

**From:** Derek C. Zimmerman [DZimmerman@baylorevnen.com]  
**Sent:** Friday, April 16, 2010 3:58 PM  
**To:** Mary M. Meyer  
**Subject:** Bill No. 10-40  
**Attachments:** image003.jpg; SKMBT\_C55010041614570.pdf

Council Members:

Please see attached correspondence regarding our request to combine the 2nd and 3rd reading for Bill No. 10-40.

Regards,

Derek C. Zimmerman  
Baylor, Evnen, Curtiss, Gruit & Witt, LLP  
Wells Fargo Center  
1248 O Street, Suite 600  
Lincoln, Nebraska 68508-1499  
[dzimmerman@baylorevnen.com](mailto:dzimmerman@baylorevnen.com)



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SHANE R. THIELEN  
COLIN A. MUES\*

OF COUNSEL  
DONALD R. WITT  
ROBERT T. GRIMIT  
J. ARTHUR CURTISS

\*ALSO ADMITTED IN IOWA  
\*\*ALSO ADMITTED IN KANSAS

April 16, 2010

Mr. Doug Emery, Chair  
Lincoln City Council  
555 s. 10<sup>th</sup> Street, Suite 111  
Lincoln, Ne 68508  
County-City Building Mailroom Box #15

RE: Bill No. 10-40

Dear City Council:

I represent The West Nine and Learning Center at Firethorn, LLC, the proposed tenant for an area generally located southeast of the intersection of South 84<sup>th</sup> Street and Van Dorn Street. I am writing today to request that the Council combine the 2<sup>nd</sup> and 3<sup>rd</sup> reading for Bill No. 10-40 in the Council's April 26, 2010 meeting.

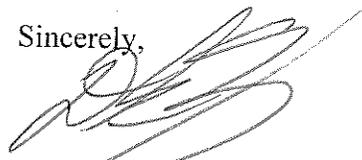
Currently there are 27 golf holes within the entire Firethorn development, with the 9 holes closest to 84<sup>th</sup> and Van Dorn Streets referred to as "The West Nine." My client intends to operate its business in the West Nine area. The use of this site will not change significantly, as it will continue to be used as a golf course. The main difference is that it will be public instead of private, and a new clubhouse will be utilized in The West Nine area. Bill No. 10-40 is a request to annex a portion of the area to connect the additional golf club house to City water and sewer.

Approval of the annexation is critical to the issuance of permits required to complete the project. Although approval of the annexation on April 26<sup>th</sup> as opposed to the Council's meeting on May 3<sup>rd</sup> may not seem significant, golf is just entering its seasonal period of the year, and in light of that fact, my client is very anxious to get the project completed as quickly as possible while still complying with all the necessary City requirements. Additionally, the proposed annexation is a non-controversial issue which received no testimony in opposition at the April 7<sup>th</sup> Planning Commission meeting, and received unanimous approval from the members of the Planning Commission.

For these reasons, we request that the Council combine the 2<sup>nd</sup> and 3<sup>rd</sup> reading for Bill No. 10-40 during the April 26<sup>th</sup> Council meeting. If you have any additional questions about the project or the proposed annexation, I would be happy to provide any assistance.

Mr. Doug Emery  
April 16, 2010  
Page 2

Sincerely,

A handwritten signature in black ink, appearing to read 'Derek C. Zimmerman', written over a light blue horizontal line.

Derek C. Zimmerman  
For the Firm  
dzimmerman@bayloreven.com

DCZ/smj