

**IN LIEU OF  
DIRECTORS' MEETING  
MONDAY, NOVEMBER 22, 2010**

**I. CITY CLERK**

**II. MAYOR**

1. Mayor presents October Award of Excellence to Gene Hanlon from the Pubic Works and Utilities Department.
2. NEWS RELEASE. "First Call" now available for mobile phone use.
3. NEWS ADVISORY. Mayor Beutler and local business organizations will kick off the "Small Business Saturday" campaign at a news conference Thursday, November 18<sup>th</sup>, 9:45 a.m., at Schaefer's TV and Appliance Center, 47<sup>th</sup> and R Streets.
4. NEWS RELEASE. Mayor promotes "Small Business Saturday".

**WEST HAYMARKET JOINT PUBLIC AGENCY**

1. West Haymarket Joint Public Agency meeting agenda, and attachments, posted on web for Thursday, November 18, 2010. (Forwarded on 11.15.10)

**DIRECTORS:**

**FINANCE**

1. Audit Advisory Board Status.

**FINANCE/BUDGET**

1. November sales tax reports reflecting September activity:
  - a) Actual Compared to Projected Sales Tax Collections;
  - b) Gross Sales Tax Collections (With Refunds Added Back In) 2005-2006 through 2010-2011;
  - c) Net Sales Tax Collections 2005-2006 through 2010-2011; and
  - d) Sales Tax Refunds 2005-2006 through 2010-2011.

**PLANNING COMMISSION**

2. Action by the Planning Commission, November 17, 2010.

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

**JON CAMP**

1. Request to Mark Koller, Personnel Director, to review updated portfolio assets.
  - a) Portfolio assets with stock symbols.
2. Request to LES on proposal before the LES Board on Friday, November 19, 2010.

**JONATHAN COOK**

1. Todd Henkel and family opposed to the proposed zone change for 27<sup>th</sup> Street and Old Cheney Road.
2. Pator Stu Kerns email stating his reasons not to rezone 27<sup>th</sup> Street and Old Cheney Road.
3. Linda Hein email against the rezoning of 27<sup>th</sup> Street and Old Cheney Road, giving reasons.
4. Carol Swanson email asking for a no vote on the rezoning of 27<sup>th</sup> Street and Old Cheney Road.

**IV. MISCELLANEOUS**

## **V. CORRESPONDENCE FROM CITIZENS**

1. Scott Zager in opposition to proposed rezoning at 27<sup>th</sup> Street and Old Cheney Road.
2. Arlys and John Neuberger requesting Council to vote against the proposed rezoning to permit CVS on the NW corner of 27<sup>th</sup> and Old Cheney Road.
3. Marlin Hupka opposing the development of 27<sup>th</sup> Street and Old Cheney Road.
4. Telephone messages regarding LES rate increase. Received from:
  - a) Jane Steele
  - b) Barbara Hilding
5. Telephone messages regarding proposed rezoning at 27<sup>th</sup> Street and Old Cheney Road. Received from:
  - a) Janice White
6. Letter from Bob Reeves agreeing with Lincoln residents who are opposed to rezoning 27<sup>th</sup> Street and Old Cheney Road to put in a strip mall and a CVS pharmacy.
7. Doug Wilson email to Arlys and John Neuberger agreeing that 27<sup>th</sup> and Old Cheney Road should not be rezoned.
8. Doug Wilson letter listing reasons why he opposed rezoning at 27<sup>th</sup> Street and Old Cheney Road.
9. Ted and Rosi Guenther requesting a vote against rezoning to permit CVS to be built on the NW corner of 27<sup>th</sup> Street and Old Cheney Road.
10. Jim and Clara Ihrig replying to, and agreeing with, John Neuberger in opposition to rezoning at 27<sup>th</sup> Street and Old Cheney Road.
11. Janice Winklepleck opposed to the CVS project on 27<sup>th</sup> and Old Cheney Road.
12. Jim Ihrig email asking for a vote against the change in zoning at 27<sup>th</sup> and Old Cheney Road.
13. Ron Jacob email listing reasons not to support the proposed rezoning at 27<sup>th</sup> and Old Cheney Road.

## **VI. ADJOURNMENT**

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**OFFICE OF THE MAYOR**

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

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

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

**MAYOR PRESENTS OCTOBER AWARD OF EXCELLENCE**

Mayor Chris Beutler today presented the Mayor's Award of Excellence for October to City Recycling Coordinator Gene Hanlon from the Public Works and Utilities Department. The monthly award recognizes City employees who consistently provide exemplary service and work that demonstrates personal commitment to the City. The award was presented at the beginning of today's City Council meeting.

Hanlon has been an employee of the City since 1987. He was nominated twice in the last three months for his recycling efforts during the Special Olympics USA National Games in Lincoln this summer. He was nominated by Superintendent of Solid Waste Operations Karla Welding and Utilities Laboratory Supervisor Jorge Samayoa in the categories of productivity and customer relations.

Hanlon began planning the effort a year before the event. He worked with Keep Lincoln and Lancaster County Beautiful, the Lincoln Public Schools, UNL Landscape Services and the Mayor's Office to develop a solid waste management plan for the week-long event. The goals were to divert 67 percent of the waste from the Opening and Closing Ceremonies and the Olympic Village; to divert 50 percent of the waste at all other events; and to designate all locations as litter-free. A green team of volunteers was formed to remove litter on a continuous basis. Hanlon's committee visited every venue to develop a recycling plan for each site.

About 670 recycling containers were used during the Games to collect traditional recyclables and organic materials as well as food waste. That includes 315 portable containers purchased with \$21,000 in grant funds from the State Department of Environmental Quality. These containers are now available for loan to local organizations and businesses at no cost.

The 230 green team volunteers worked more than 2,000 hours. They kept more than 15,000 pounds of bottles and cans, 24,000 pounds of cardboard and paper, and 9,000 pounds of compostable items out of the landfill. Samayoa, one of the volunteers, wrote, "It was because of Gene's efforts and excellent leadership skills and dedication that we, as a team, were able to accomplish the task of separating recyclables from regular landfill trash and compost items."

- more -

**Award of Excellence**  
**November 15, 2010**  
**Page Two**

The other categories in which employees can be nominated are loss prevention, safety and valor. Consideration also may be given to nominations that demonstrate self-initiated accomplishments or those completed outside of the nominee's job description. All City employees are eligible for the Mayor's Award of Excellence except for elected and appointed officials. Individuals or teams can be nominated by supervisors, peers, subordinates and the general public. Nomination forms are available 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 the Mayor's Award of Excellence Committee, which includes a representative with each union and a non-union representative appointed by the Mayor. Award winners receive a \$100 U.S. savings bond, a day off with pay and a plaque. Monthly winners are eligible to receive the annual award, which comes with a \$500 U.S. savings bond, two days off with pay and a plaque.

**LANCASTER COUNTY EMERGENCY MANAGEMENT**  
575 S. 10th Street, Lincoln, NE 68508, 441-7441, fax 441-7407

**FOR IMMEDIATE RELEASE:** November 16, 2010

**FOR MORE INFORMATION:** Doug Ahlberg, Emergency Management, 441-7441  
Dave Norris, Citizen Information Center, 441-7547

**“FIRST CALL” NOW AVAILABLE FOR MOBILE PHONE USE**

Lancaster County Emergency Management Director Doug Ahlberg today announced the “First Call” emergency notification system is now able to alert individuals of emergencies through their mobile phones. Previously, “First Call” issued alerts only through land line phones.

First Call Interactive Network is an emergency notification system used by federal and state agencies, local municipalities, universities and industries across the nation.

Ahlberg said the system has been used to alert Lincoln and Lancaster County residents of severe weather. This year, it is also being used to inform residents of parking bans due to snow removal efforts. To receive the alerts, residents must register their mobile phones online at [alertregistration.com/lancaster/](http://alertregistration.com/lancaster/). Land line phones do not need to be registered.

“Many people no longer have land line phones and rely on their mobile devices, so we are very pleased that First Call notification will be extended to them,” said Ahlberg. “When the Mayor declares a snow emergency or a parking ban, citizens will have that information relayed to them immediately with First Call. This will be a tremendous enhancement to our emergency communications capabilities with the public.”

Information on the City’s snow operations plan is available at [lincoln.ne.gov](http://lincoln.ne.gov). Information on Emergency Management is available at [lancaster.ne.gov](http://lancaster.ne.gov).

**OFFICE OF THE MAYOR**

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

**DATE:** November 17, 2010

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

Mayor Chris Beutler and local business organizations will kick off the “Small Business Saturday” campaign at a news conference at **9:45 a.m. Thursday, November 18** at **Schaefer’s TV and Appliance Center, 47th and “R” streets**. Schaefer’s will open at 9:30 a.m.

Small Business Saturday is a nationwide effort to spur business for small merchants on November 27 in between the traditional shopping days of Black Friday and Cyber Monday.

**OFFICE OF THE MAYOR**

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

**FOR IMMEDIATE RELEASE:** November 18, 2010

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

**MAYOR PROMOTES “SMALL BUSINESS SATURDAY”**

Mayor Chris Beutler today encouraged area residents to shop at local retailers on Saturday, November 27 as part of the first “Small Business Saturday,” a national campaign to spur business for smaller merchants. The Mayor was joined by representatives of the Lincoln Chamber of Commerce, the Nebraska Retail Federation, the Downtown Lincoln Association, the Lincoln Independent Business Association and local retailers at a kickoff event at Schaefer’s TV and Appliance Center, a locally-owned business in operation since 1946.

“Thanksgiving is closely followed by two of the biggest shopping days of the year – Black Friday and Cyber Monday,” said Mayor Beutler. “Small Business Saturday is a way to remind shoppers of the benefits of buying from locally-owned stores. These retailers not only add character to our community, they also are a key part of our economy. I call on every shopper to make at least one purchase at a locally-owned retailer on November 27th to support our home-grown business community.”

For every \$100 spent at local small businesses, \$68 returns to the community, according to Civic Economics, an economic analysis consulting firm. Mayor Beutler also cited three statistics from the U.S. Small Business Administration:

- For every year over the last decade, 60 to 80 percent of new jobs were generated by small businesses.
- Small businesses represent 99.7 percent of all employer firms.
- Small businesses employ half of all private sector employees.

The idea for Small Business Saturday came from American Express, and the campaign was kicked off November 8 in New York City. American Express is promoting the campaign through Facebook and Twitter with links at [www.smallbusinesssaturday.com](http://www.smallbusinesssaturday.com).

- The first 10,000 business owners who sign up at Facebook will receive \$100 of free Facebook advertising.
- The company will give a \$25 statement credit to 100,000 American Express Cardmembers who register their card and use it November 27 at any independent small business that accepts American Express.
- For every person who “likes” Small Business Saturday on Facebook, American Express will donate \$1 up to \$500,000 to Girls Inc.

Pictured left to right:

Doug Carey, Board Chairman, Lincoln Independent Business Association

Ed Swotek, Board Chair, Downtown Lincoln Association

Jim Otto, President, Nebraska Retail Federation

Mayor Beutler

Wendy Birdsall, President, Lincoln Chamber of Commerce

Ronnie Romero, Director of Sales, Schaefer's TV and Appliance Center

## Mary M. Meyer

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**From:** Melissa M. Ramos-Lamml  
**Sent:** Monday, November 15, 2010 12:50 PM  
**To:** Aaron Young (aaron.v.young@benham.com); Council Packet; Daniel K. Marvin; Dave B. Norris; Debbie Engstrom; DEBUSE, LISA; Diane K. Gonzolas; Don R. Herz; Greg S. MacLean; Harvey Perlman (hperlman1@unl.edu); Jayne L. Snyder; Jayne Snyder ; Jim Martin (jim.martin@benham.com); Joan E. Ross; Joel D Pedersen; Justin R. Kohmetscher; lwismer@gilmorebell.com; Mark E. Leikam; Mary Douglas; Mary M. Meyer; Melissa M. Ramos-Lamml; Rick R. Peo; Rodney M. Confer; Roger A. Figard; skeene@ameritas.com; Steve D. Hubka; Steven J. Huggenberger; Steward, Earl A. III; Teresa Meier; Tim Clare ; Trish A. Owen  
**Subject:** West Haymarket JPA Meeting November 18, 2010

The West Haymarket Joint Public Agency will meet on Thursday November 18, 2010 at 3:00 P.M. in City Council Chambers.

The agenda and attachments are now posted at: <http://lincoln.ne.gov/city/finance/account/jpa-mtgs.htm>

# Memo

**To:** City Council  
**From:** Mike Justus, Chair  
Audit Advisory Board  
**CC:** Mayor's Office  
**Date:** November 18, 2010  
**Re:** Audit Advisory Board Status

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As you are probably aware, we have not been asked to complete any work since the Agreed Upon Procedures Engagement that reviewed the City's fund balances in March 2009.

We are available and eager to assist the City in carrying out its policy statement identified in section 4.66.010 of the City Charter. The members of the Audit Advisory Board would like to take this opportunity to provide the City Council with some suggestions. We have noted other cities looking at opportunities in these areas:

1. Comparing services provided to the citizenry for a fee and the fees charged for those services to other cities of a similar size.
2. Purchasing card use (are we using it where we should to gain rebates and are we using it appropriately)
3. Specific department audits (sometimes where there are believed to be problems and on a rotating or recurring basis)
4. Business Process reviews (such as payroll, construction or purchasing) to assure ourselves appropriate controls are in place and functioning as we believe for these important areas.
5. Reviews of specific tax collections
6. Use of overtime
7. Review of Business Continuity and Disaster Recovery plans.

These are just a few of the projects you may wish to consider. We are sure there are others that you are more attuned to because of your relationship and responsibility to the City. For your reference, attached is a copy of prior correspondence from the Finance Director on the same subject.

Please feel free contact me if you have any questions. I can be reached at 483-4706

Cc: Memo from Don Herz dated February 25, 2010

# Memo

**To:** City Council  
**From:** Don Herz, Finance Director  
**CC:** Mayor's Office  
**Date:** February 25, 2010  
**Re:** Audit Advisory Board

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At the last Audit Advisory Board meeting, the Board asked that we forward a list of potential projects that the City Council may want the Board to pursue.

This listing was produced by the Board and is meant to stimulate some thought about potential projects. There certainly may be others that the Council is interested in. If you decide to discuss these at your weekly Organizational Meeting, I would be willing to attend and discuss these or any other projects you may want to consider.

Encl: Listing of potential Audit Board Projects

**City of Lincoln**  
**Audit Advisory Board**  
**Potential Engagements**  
**January 13, 2010**

- Review the performance of the City's Investment Pool
- Conduct a review of the City Impound Lot
- Public Library Cash receipting process
- Parks cash receipting process
- Fleet services audit
- Review and analyze if the City has missed any state funding opportunities
- Workers Comp review
- Parking Enterprise Analysis
- Analyze City Library staffing
- TIF – Review prior TIF transactions
- Review Community Development Resources program
- Conduct a review for possible new or enhanced revenue streams for the operating budget

**Actual Compared to  
Projected Sales Tax Collections**

	2010-11 PROJECTED	2010-11 ACTUAL	VARIANCE FROM PROJECTED	\$ CHANGE FR. 09-10	% CHANGE FR. 09-10
SEPTEMBER	\$4,549,255	\$4,767,314	\$218,059	\$163,898	3.56%
OCTOBER	\$4,721,659	\$4,865,846	\$144,187	\$273,777	5.96%
NOVEMBER	\$4,716,098	\$4,889,920	\$173,822	\$116,328	2.44%
DECEMBER	\$4,449,149				
JANUARY	\$4,554,816				
FEBRUARY	\$5,672,665				
MARCH	\$4,248,937				
APRIL	\$4,059,848				
MAY	\$4,666,045				
JUNE	\$4,532,571				
JULY	\$4,593,746				
AUGUST	\$4,849,573				
<b>TOTAL</b>	<b>\$55,614,362</b>	<b>\$14,523,081</b>	<b>\$536,069</b>	<b>\$554,002</b>	<b>3.97%</b>

Actual collections through November are 3.83 % above projections for the year.

**CITY OF LINCOLN  
GROSS SALES TAX COLLECTIONS  
(WITH REFUNDS ADDED BACK IN)  
2005-2006 THROUGH 2010-2011**

	<b>ACTUAL 2005-2006</b>	<b>ACTUAL 2006-2007</b>	<b>ACTUAL 2007-2008</b>	<b>ACTUAL 2008-2009</b>	<b>% CHG. FR. PRIOR YEAR</b>	<b>ACTUAL 2009-2010</b>	<b>% CHG. FR. PRIOR YEAR</b>	<b>ACTUAL 2010-2011</b>	<b>% CHG. FR. PRIOR YEAR</b>
<b>SEPTEMBER</b>	\$4,630,210	\$4,573,597	\$4,612,020	\$4,812,555	4.35%	\$4,703,478	-2.27%	\$4,822,814	2.54%
<b>OCTOBER</b>	\$4,823,369	\$4,712,519	\$5,052,950	\$4,845,000	-4.12%	\$4,687,315	-3.25%	\$4,987,584	6.41%
<b>NOVEMBER</b>	\$4,799,275	\$4,658,480	\$4,818,715	\$4,937,998	2.48%	\$4,922,939	-0.30%	\$4,938,240	0.31%
<b>DECEMBER</b>	\$4,511,403	\$4,445,761	\$4,753,456	\$4,545,947	-4.37%	\$4,502,684	-0.95%		
<b>JANUARY</b>	\$4,342,902	\$4,554,634	\$4,617,097	\$4,465,270	-3.29%	\$4,354,458	-2.48%		
<b>FEBRUARY</b>	\$5,797,893	\$5,993,653	\$5,596,617	\$5,775,594	3.20%	\$5,426,478	-6.04%		
<b>MARCH</b>	\$4,247,908	\$4,125,074	\$4,421,405	\$4,258,773	-3.68%	\$4,226,466	-0.76%		
<b>APRIL</b>	\$3,991,159	\$4,018,709	\$4,227,476	\$4,119,617	-2.55%	\$4,294,043	4.23%		
<b>MAY</b>	\$4,543,369	\$4,895,921	\$4,753,366	\$4,744,089	-0.20%	\$5,186,573	9.33%		
<b>JUNE</b>	\$4,539,614	\$4,664,470	\$4,859,251	\$4,624,054	-4.84%	\$4,662,293	0.83%		
<b>JULY</b>	\$4,655,061	\$4,772,617	\$4,983,976	\$4,501,197	-9.69%	\$4,567,893	1.48%		
<b>AUGUST</b>	\$4,991,723	\$4,887,329	\$5,026,702	\$4,856,331	-3.39%	\$5,105,968	5.14%		
<b>TOTAL</b>	\$55,873,886	\$56,302,764	\$57,723,030	\$56,486,425	-2.14%	\$56,640,589	0.27%	\$14,748,638	3.04%

**CITY OF LINCOLN  
NET SALES TAX COLLECTIONS  
2005-2006 THROUGH 2010-2011**

<b>ACTUAL 2005-2006</b>	<b>ACTUAL 2006-2007</b>	<b>ACTUAL 2007-2008</b>	<b>ACTUAL 2008-2009</b>	<b>% CHG. FROM PR. YEAR</b>	<b>ACTUAL 2009-2010</b>	<b>% CHG. FROM PR. YEAR</b>	<b>ACTUAL 2010-2011</b>	<b>% CHG. FROM PR. YEAR</b>
\$4,549,328	\$4,546,247	\$4,521,738	\$4,377,476	-3.19%	\$4,603,417	5.16%	\$4,767,314	3.56%
\$4,464,503	\$4,545,825	\$4,973,261	\$4,736,074	-4.77%	\$4,592,069	-3.04%	\$4,865,846	5.96%
\$4,625,303	\$4,654,599	\$4,659,859	\$4,851,237	4.11%	\$4,773,592	-1.60%	\$4,889,920	2.44%
\$4,505,085	\$4,270,321	\$4,723,609	\$4,336,273	-8.20%	\$4,299,735	-0.84%		
\$4,073,189	\$4,470,347	\$4,590,789	\$4,209,000	-8.32%	\$4,097,252	-2.65%		
\$5,724,498	\$5,666,534	\$5,106,677	\$5,691,881	11.46%	\$5,322,243	-6.49%		
\$4,082,038	\$3,991,501	\$4,096,136	\$4,184,988	2.17%	\$4,212,234	0.65%		
\$3,794,477	\$3,888,098	\$4,118,712	\$4,048,629	-1.70%	\$4,218,305	4.19%		
\$4,376,803	\$4,514,268	\$4,730,837	\$4,626,889	-2.20%	\$5,118,022	10.61%		
\$4,525,529	\$4,478,219	\$4,722,943	\$4,179,081	-11.52%	\$4,551,950	8.92%		
\$4,615,569	\$4,616,793	\$4,505,792	\$4,169,394	-7.47%	\$4,316,388	3.53%		
\$4,934,023	\$4,317,734	\$4,982,944	\$4,844,454	-2.78%	4,819,806	-0.51%		
<b>\$54,270,346</b>	<b>\$53,960,485</b>	<b>\$55,733,297</b>	<b>\$54,255,376</b>	<b>-2.65%</b>	<b>\$54,925,013</b>	<b>1.23%</b>	<b>\$14,523,081</b>	<b>3.97%</b>

**CITY OF LINCOLN  
SALES TAX REFUNDS  
2005-2006 THROUGH 2010-2011**

	<b>ACTUAL 2005-2006</b>	<b>ACTUAL 2006-2007</b>	<b>ACTUAL 2007-2008</b>	<b>ACTUAL 2008-2009</b>	<b>% CHG. FROM PRIOR YEAR</b>	<b>ACTUAL 2009-2010</b>	<b>% CHG. FROM PRIOR YEAR</b>	<b>ACTUAL 2010-2011</b>	<b>% CHG. FROM PRIOR YEAR</b>
<b>SEPTEMBER</b>	(\$80,882)	(\$27,350)	(\$90,282)	(\$435,079)	381.91%	(\$100,061)	-77.00%	(\$55,500)	-44.53%
<b>OCTOBER</b>	(\$358,866)	(\$166,695)	(\$79,688)	(\$108,925)	36.69%	(\$95,246)	-12.56%	(\$121,738)	27.81%
<b>NOVEMBER</b>	(\$173,972)	(\$3,881)	(\$158,855)	(\$86,760)	-45.38%	(\$149,347)	72.14%	(\$48,320)	-67.65%
<b>DECEMBER</b>	(\$6,319)	(\$175,440)	(\$29,848)	(\$209,674)	602.47%	(\$202,950)	-3.21%	(\$12,388)	-93.90%
<b>JANUARY</b>	(\$269,713)	(\$84,287)	(\$26,308)	(\$256,270)	874.13%	(\$257,206)	0.37%		
<b>FEBRUARY</b>	(\$73,395)	(\$327,119)	(\$489,939)	(\$83,713)	-82.91%	(\$104,235)	24.51%		
<b>MARCH</b>	(\$165,869)	(\$133,574)	(\$325,269)	(\$73,785)	-77.32%	(\$14,233)	-80.71%		
<b>APRIL</b>	(\$196,682)	(\$130,611)	(\$108,764)	(\$70,988)	-34.73%	(\$75,738)	6.69%		
<b>MAY</b>	(\$166,567)	(\$381,653)	(\$22,529)	(\$117,201)	420.23%	(\$68,551)	-41.51%		
<b>JUNE</b>	(\$14,085)	(\$186,252)	(\$136,308)	(\$444,973)	226.45%	(\$110,343)	-75.20%		
<b>JULY</b>	(\$39,492)	(\$155,825)	(\$478,184)	(\$331,804)	-30.61%	(\$251,505)	-24.20%		
<b>AUGUST</b>	(\$57,700)	(\$569,595)	(\$43,759)	(\$11,878)	-72.86%	(\$286,162)	2309.23%		
<b>TOTAL</b>	(\$1,603,541)	(\$2,342,280)	(\$1,989,734)	(\$2,231,050)	12.13%	(\$1,715,576)	-23.10%	(\$237,946)	-56.55%

Year to date vs.  
previous year

**\*\* ACTION BY PLANNING COMMISSION \*\***  
**November 17, 2010**

**NOTICE:** The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, November 17, 2010, at 1:00 p.m., in the City-Council Hearing Room, County-City Building, 555 S. 10<sup>th</sup> St., Lincoln, Nebraska, on the following items. For more information, call the Planning Department, 441-7491.

The LPlan Advisory Committee will meet on Wednesday, November 17, 2010, from 11:00 a.m. to 12:45 p.m., in Room 113 of the County-City Building, 555 S. 10<sup>th</sup> Street, Lincoln, Nebraska.

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

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

**AGENDA**

**WEDNESDAY, NOVEMBER 17, 2010**

**[Commissioners Lust, Francis and Taylor absent]**

Approval of minutes of the regular meeting held November 3, 2010. **\*\*APPROVED, 6-0 (Lust, Francis and Taylor absent)\*\***

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

**PERMITS:**

Page 01 1.1 Special Permit No. 10031, for the operation of a salvage yard, including a waiver request to reduce the 100' setback to zero along the east lot line, on property generally located at N. 70<sup>th</sup> Street between Fletcher Avenue and McCormick Drive.

**Staff recommendation: Conditional Approval**

**Staff Planner: Tom Cajka, 441-5662, [tcajka@lincoln.ne.gov](mailto:tcajka@lincoln.ne.gov)**

**Removed from the Consent Agenda and had public hearing.**

**Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the staff report dated November 4, 2010, with amendment to Condition #2.1, and with amendment adding Condition #2.4, 6-0 (Lust, Francis and Taylor absent).**

**Public Hearing before City Council tentatively scheduled for Monday, December 13, 2010, at 3:00 p.m.**

2. **REQUESTS FOR DEFERRAL: None.**

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

\*\*\*\*\*

**PENDING LIST:** *None*

**Planning Dept. staff contacts:**

Steve Henrichsen, <i>Development Review Manager</i> . . .	441-6473	..	<a href="mailto:shenrichsen@lincoln.ne.gov">shenrichsen@lincoln.ne.gov</a>
Nicole Fleck-Tooze, <i>Long Range Planning Manager</i> .	441-6373	..	<a href="mailto:ntooze@lincoln.ne.gov">ntooze@lincoln.ne.gov</a>
Mike Brienzo, <i>Transportation Planner</i> . . . . .	441-6369	..	<a href="mailto:mbrienzo@lincoln.ne.gov">mbrienzo@lincoln.ne.gov</a>
Tom Cajka, <i>Planner</i> . . . . .	441-5662	..	<a href="mailto:tcajka@lincoln.ne.gov">tcajka@lincoln.ne.gov</a>
David Cary, <i>Planner</i> . . . . .	441-6364	..	<a href="mailto:dcary@lincoln.ne.gov">dcary@lincoln.ne.gov</a>
Mike DeKalb, <i>Planner</i> . . . . .	441-6370	..	<a href="mailto:mdekalb@lincoln.ne.gov">mdekalb@lincoln.ne.gov</a>
Christy Eichorn, <i>Planner</i> . . . . .	441-7603	..	<a href="mailto:ceichorn@lincoln.ne.gov">ceichorn@lincoln.ne.gov</a>
Brandon Garrett, <i>Planner</i> . . . . .	441-6373	..	<a href="mailto:bgarrett@lincoln.ne.gov">bgarrett@lincoln.ne.gov</a>
Sara Hartzell, <i>Planner</i> . . . . .	441-6371	..	<a href="mailto:shartzell@lincoln.ne.gov">shartzell@lincoln.ne.gov</a>
Rashi Jain, <i>Planner</i> . . . . .	441-6372	..	<a href="mailto:rjain@lincoln.ne.gov">rjain@lincoln.ne.gov</a>
Brian Will, <i>Planner</i> . . . . .	441-6362	..	<a href="mailto:bwill@lincoln.ne.gov">bwill@lincoln.ne.gov</a>
Ed Zimmer, <i>Historic Preservation Planner</i> . . . . .	441-6370	..	<a href="mailto:ezimmer@lincoln.ne.gov">ezimmer@lincoln.ne.gov</a>

**The Planning Commission has canceled their meeting  
scheduled for December 29, 2010.**

\* \* \* \* \*

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

\* \* \* \* \*

**The Planning Commission agenda may be accessed on the Internet at  
<http://www.lincoln.ne.gov/city/plan/pcagenda/index.htm>**

## Mary M. Meyer

---

**From:** Jon Camp [JonCamp@lincolnhaymarket.com]  
**Sent:** Wednesday, November 17, 2010 10:37 AM  
**To:** Mark A. Koller  
**Cc:** Mary M. Meyer  
**Subject:** PFFPT Stock Portfolio Shares  
**Attachments:** 2010-11-17--update on Sep 2010 inv changes--Portfolio List and shares.pdf

Mark:

Attached is a PDF of updated portfolio assets that have stock symbols and daily market values are readily obtainable.

This has been updated to reflect the shifting in the PFFPT portfolio in September 2010. Please review the # of shares/mutual fund amounts for accuracy of my figures. I calculated these by dividing the September 30, 2010 portfolio asset values you furnished by the closing share price on that day. I just want to ensure that my daily monitoring of the PFFPT portfolio is accurate.

I know you and your staff are busy, but these should reflect the asset changes done in September, which I assume would be easily obtained from the transactions done in September. Many are new assets, which should further assist in making this review forthright.

Also, I want to thank you for sending the August 31, 2010 and September 30, 2010 internal asset valuations.

Thank you.

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**  
**Fax: 402.474.1838**  
**Cell: 402.560.1001**

**Email: [joncamp@lincolnhaymarket.com](mailto:joncamp@lincolnhaymarket.com)**

**“The American Republic will endure until the day Congress discovers that it can bribe the public with the public's money”**

~ *Alexis de Tocqueville* ([French Historian](#) and [Political scientist](#). [1805-1859](#))

**Edit Portfolio**

[Help](#)

Step 1: Portfolio Name:  (Max. 25 characters)

[Delete this Portfolio](#)

Step 2: Edit details for each of your holdings. [Hide details](#)

	Symbol (required)	Exchange (required)	Number of Shares	Purchase Price/Share	Purchase Date (MM/DD/YYYY)	Commision Fees	Delete
1	AEAFX	US Exchanges	63,775.51		11/17/2010		<input type="checkbox"/>
2	AEPGX	US Exchanges	113,711.447		11/17/2010		<input type="checkbox"/>
3	ALMRX	US Exchanges	118,995.9921		11/17/2010		<input type="checkbox"/>
4	BGRFX	US Exchanges	65,835.551		11/17/2010		<input type="checkbox"/>
5	CINCX	US Exchanges	338,392.8653		11/17/2010		<input type="checkbox"/>
6	CPHYX	US Exchanges	238,840.6836		11/17/2010		<input type="checkbox"/>
7	CVTRX	US Exchanges	88,462.7		11/17/2010		<input type="checkbox"/>
8	CWGFY	US Exchanges	209,053.9481		11/17/2010		<input type="checkbox"/>
9	DODGX	US Exchanges	33,703.372		11/17/2010		<input type="checkbox"/>
10	FDN	US Exchanges	36,215		11/17/2010		<input type="checkbox"/>
11	FGIYX	US Exchanges	361,173.8148		11/17/2010		<input type="checkbox"/>
12	FXD	US Exchanges	64,300		11/17/2010		<input type="checkbox"/>
13	FXO	US Exchanges	80,900		11/17/2010		<input type="checkbox"/>
14	FXZ	US Exchanges	52,425		11/17/2010		<input type="checkbox"/>
15	GFAFX	US Exchanges	108,890.2401		11/17/2010		<input type="checkbox"/>
16	GHAAX	US Exchanges	204,452.214		11/17/2010		<input type="checkbox"/>
17	HMDYX	US Exchanges	60,821.4899		11/17/2010		<input type="checkbox"/>
18	HNTVX	US Exchanges	54,823.6037		11/17/2010		<input type="checkbox"/>
19	IVAEX	US Exchanges	79,086.1158		11/17/2010		<input type="checkbox"/>
20	IWP	US Exchanges	29,255		11/17/2010		<input type="checkbox"/>
21	IWS	US Exchanges	31,180		11/17/2010		<input type="checkbox"/>
22	JMVAX	US Exchanges	59,336.13		11/17/2010		<input type="checkbox"/>
23	LSBDX	US Exchanges	354,861.6042		11/17/2010		<input type="checkbox"/>
24	MALOX	US Exchanges	108,754.7581		11/17/2010		<input type="checkbox"/>
25	MDISX	US Exchanges	236,439.4991		11/17/2010		<input type="checkbox"/>
26	MEDAX	US Exchanges	252,401.6938		11/17/2010		<input type="checkbox"/>
27	NAMAX	US Exchanges	105,041.872		11/17/2010		<input type="checkbox"/>
28	OAKIX	US Exchanges	380,739.082		11/17/2010		<input type="checkbox"/>
29	ODMAX	US Exchanges	204,086.7159		11/17/2010		<input type="checkbox"/>
30	PAUDX	US Exchanges	163,487.738		11/17/2010		<input type="checkbox"/>
31	PRRDY	US Exchanges	339,060.7281		11/17/2010		<input type="checkbox"/>
32	QTEC	US Exchanges	48,850		11/17/2010		<input type="checkbox"/>
33	RYSEX	US Exchanges	89,275.054		11/17/2010		<input type="checkbox"/>
34	SGIIX	US Exchanges	42,134.8309		11/17/2010		<input type="checkbox"/>
35	STHBY	US Exchanges	466,687.1638		11/17/2010		<input type="checkbox"/>
36	STRYX	US Exchanges	456,621.0045		11/17/2010		<input type="checkbox"/>
37	TGBAX	US Exchanges	280,029.477		11/17/2010		<input type="checkbox"/>
38	TWEIX	US Exchanges	447,761.1947		11/17/2010		<input type="checkbox"/>

[Add more items](#)

Select to Delete All

To include a cash amount as part of this portfolio, enter an amount below.

Step 3: Cash Amount \$  (e.g. "12,500.00")

**Mary M. Meyer**

---

**From:** Jon Camp [JonCamp@lincolnhaymarket.com]  
**Sent:** Wednesday, November 17, 2010 11:27 AM  
**To:** kwaites@les.com  
**Cc:** thall@les.com; Mary M. Meyer  
**Subject:** Information Requested

Kevin:

Would you please provide information that I requested this past Monday on the proposal that will be before the LES Board this Friday on the Central Lincoln Reliability Project—what I call the high voltage transmission line?

Please also provide a history on the customer charges for single phase and three-phase service for the past 20 years for residential and small-to-medium customers, who, I believe, make up a substantial majority of your customer base. Also note the % change from year to year or rate increase to rate increase. Please do so “before sales taxes”.

Thank you,

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**

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**Email: [joncamp@lincolnhaymarket.com](mailto:joncamp@lincolnhaymarket.com)**

**“The American Republic will endure until the day Congress discovers that it can bribe the public with the public's money”**

*~ Alexis de Tocqueville* ([French Historian](#) and [Political scientist. 1805-1859](#))

**Mary M. Meyer**

---

**Subject:** FW: 27th ST. & Old Cheney RD proposed zone change

**Subject: 27th ST. & Old Cheney RD proposed zone change**

Mr. Cook:

I am writing to encourage you to vote against the proposed new development on the corner of 27th & Old Cheney. Our family lives 3 blocks south of this intersection and traffic is already high and congested without this new commercial development. As you already know, there are a number of pharmacy's within a mile, to the north, east, & south of 27th & Old Cheney of this proposed new development. CVS will not be fulfilling a need for the neighborhood, that is currently unmet. However, they will bring a reduction in the quality of life for the residents who live in the area, unsafe conditions for the Hill Elementary School kids and perhaps a reduction in response time for the local Fire Station.

Please vote no on this new zoning change and encourage your fellow council members to do the same.

Regards,

Todd Henkel & family  
2600 Norman Circle

**Mary M. Meyer**

---

**Subject:** FW: 27th & Old Cheney

**Subject: 27th & Old Cheney**

Council Members,

As a pastor new to the neighborhood, I was fairly neutral about the CVS pharmacy project...until I met with some of the neighbors. There are some aspects that really don't make sense:

- Why put a retail center in the middle of a residential neighborhood?
- Why make it 24 hour?
- **Most importantly, why have two driveways empty onto Canterbury Lane, a narrow, winding, residential street? The Southwood development was one of Lincoln's first that emphasized limited access, winding streets, and exclusive residential construction. What has changed?**

I certainly understand the desire to promote jobs, new business, etc. It just seems odd to create a retail center in the middle of a residential neighborhood when there are established retail centers a mile or less to the North, South, East, and West. Does this fit with the comprehensive plan?

I would respectfully ask the Council to reconsider this project.

P.S. Even as I write this e-mail a neighbor is driving through Zion's parking lot as a shortcut. We put up a chain-gate to stop that traffic when we are holding children's events and put up speed bumps. I am not a traffic engineer, but my experience tells me that people driving through will continually be looking for shortcuts, and that Canterbury Lane--a narrow winding street--is not suited for it. (If you haven't driven past the site, you will see what I mean if you do).

***Pastor Stu Kerns***

Zion Church: PCA  
5511 S. 27th St.  
Lincoln, NE 68512  
(402) 476-2524

*"Those who trust in the Lord are like Mount Zion, which cannot be moved but stands forever."*

**Mary M. Meyer**

---

**Subject:** FW: 27th and Old Cheney

**Subject: 27th and Old Cheney**

I live at 2121 S Canterbury Lane, a few blocks away from the proposed development at 27th and Old Cheney. I was heartened to see that the Council didn't take a vote on the development because it gave me a chance to at least write you about it.

The building is too good to waste by tearing it down just because it's in the way. It is architecturally unique, landscaped nicely and should be utilized for many years to come.

My mother had Alzheimer's and we went to meetings in that building at the Alzheimer's offices so I've been in the building. She died before the beautiful facilities for Alzheimer's patients across the street to the south were built. It was a nice quiet neighborhood that they built in, that they need. I didn't know until today that the Alzheimer's offices are not in their patient care facility...I was assuming that they had moved over there when it opened. Today I heard that their rent was raised to a point that they could not continue to rent in the building at 27th and Old Cheney. They now have their offices somewhere way north. That's a shame.

I like CVS Pharmacy but I truly do not understand what they and Walgreen's are trying to do by building so many many store buildings in such close proximity. It doesn't make sense...we're going to have some empty buildings. I think I heard eight pharmacies within that tiny little area. I really can't see that we need eight pharmacies that close. A 24-hour facility brings it's own problems to a neighborhood.

The Old Cheney and 27th intersection is a very busy one to begin with. Traffic is heavy and moves fast. An accident in that intersection snarled traffic for quite a while Friday night. The development of that area will make it even more dangerous for drivers.

The fire station across the street to the east of the development is a consideration also. A congested intersection made even more congested by the new business development/businesses is going to create additional hazards for the firemen. It will limit their ability to get to the scene of the fire and affect the citizens depending on them being able to get to those fires.

For so many reasons, it's just not the time to tear down a perfectly good and unique building to add redundant businesses right across the street from a fire station and an Alzheimer's care facility. Please consider all of these reasons to pass on this development at this time. Thanks very much for reading my plea. Linda Hein

**Mary M. Meyer**

---

**Subject:** FW: 27th & Old Cheney Re-zoning

**Subject: 27th & Old Cheney Re-zoning**

Please consider voting NO for the re-zoning of 27th & Old Cheney for the CVS store. For the good of the community, the Southwood neighborhood, and the good of all those people who live in the city of Lincoln and would like to protect their homes, families, and community.

Thank You for your consideration in voting what I feel you all know is right.

Carol Swanson  
2340 S. Canterbury Lane

## Mary M. Meyer

---

**From:** Community Organization [promotelincoln@gmail.com]  
**Sent:** Monday, November 15, 2010 11:43 AM  
**To:** Council Packet; Mayor; Jon Camp; Jonathan A. Cook; Doug Emery; Eugene W. Carroll; Adam A. Hornung; John Spatz; Jayne L. Snyder  
**Cc:** gwinters@journalstar.com; chad.silber@1011now.com; ksommariva@klkntv.com; cm@liba.org; news@klin.com  
**Subject:** disapprove rezoning 27th & Old Cheney

I cannot in good conscious support Lincoln's efforts to rezone this property.

The development brings a number of safety concerns to the neighborhood and added congestion to an intersection already classified in the top 10 most dangerous intersections in Lincoln.

Although touted as a "business friendly" decision, I have to disagree. The surrounding commercial developments have been occupied by businesses working within the city plan for growth. Allowing such spot zoning to dissect those current developments demonstrates only favoritism, and the inability for any business to strategically invest in developments in and around Lincoln.

I encourage you to work with the proposed business to find a more appropriate and suitable location for such development.

Scott Zager

**Mary M. Meyer**

---

**From:** John Neuberger [ajneu@windstream.net]  
**Sent:** Monday, November 15, 2010 7:33 PM  
**To:** Council Packet  
**Cc:** Ron Cada; Ken Hultstrand; Doug & Lois Wilson; Jim & Clara Ihrig  
**Subject:** Vote No on Rezoning for NW corner of 27th & Old Cheney Rd

Dear Lincoln City Council Members,

We respectfully request you to vote against the rezoning to permit the CVS and other retail stores on the NW corner of 27th and Old Cheney Rd.

Please keep this property like it is for Office Space.

We like the way this corner looks with an attractive office building and beautiful mature trees.

Thanks in advance for your consideration of our views.

Sincerely yours,

Arlys & John Neuberger  
6133 Old Farm CT.  
Lincoln, NE -68512  
ph.-402.423.6822

**Mary M. Meyer**

---

**From:** Marlin Hupka [mhupka@neb.rr.com]  
**Sent:** Tuesday, November 16, 2010 6:35 AM  
**To:** Council Packet  
**Subject:** 27th & Old Cheney

I oppose the development of the NW corner of this intersection. It should be office not retail

Telephone Message:  
November 16, 2010, 10:15 a.m.

Jane Steele:

Opposed to LES rate increase. People on Social Security have not received a cost of living for two (2) years, and are on a fixed income. People in government say they're not specifically raising taxes, but everything else does rise. The administrators at LES are still receiving raises, which they don't deserve.

1:28 p.m.

Barbara Hilding:

Opposed to any increase in the LES rate. Retired people on Social Security have had no increase for two (2) years, but while living on a fixed income everything else is up - LES rates, rent. Suggest to LES to not allow rate increases in years when Social Security participants do not get a cost adjustment.

Telephone messages (27<sup>th</sup> & Old Cheney)  
11.16.10

Janice White:

Opposed to the proposed rezoning at 27<sup>th</sup> Street and Old Cheney Road.

Wants all Council to see, but specifically Councilman Jon Camp.

RECEIVED

NOV 16 2010

Nov. 15

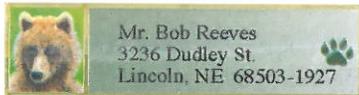
To the Lincoln City Council  
CITY COUNCIL  
OFFICE

I do not live in the area of 27th and Old Cheney, but I do agree with most of the concerns of residents, who do not want a CVS Pharmacy and other commercial development on that corner. Lincoln has plenty of drug stores and convenience stores, and there is no justification for introducing a new small shopping area so close to many other similar developments along both Old Cheney and 27th.

If all our arterials become nothing but commercial strip malls, we're going to look like Colorado Springs! Lincoln has always been noted for its well-planned development, but in the last decade or so we've moved away from that philosophy + this proposal is just a symptom of a dangerous trend.

Sincerely,

Bob Reeves



## Mary M. Meyer

---

**From:** Doug Wilson [djwilson6110@windstream.net]  
**Sent:** Monday, November 15, 2010 10:57 PM  
**To:** 'John Neuberger'; Council Packet  
**Cc:** 'Ron Cada'; 'Ken Hultstrand'; 'Jim & Clara Ihrig'  
**Subject:** RE: Vote No on Rezoning for NW corner of 27th & Old Cheney Rd

Amen, John and Arlys. I share your opinion and will transmit a similar one to the Council. Thanks for your input.

---

**From:** John Neuberger [<mailto:ajneu@windstream.net>]  
**Sent:** Monday, November 15, 2010 7:33 PM  
**To:** [council@lincoln.ne.gov](mailto:council@lincoln.ne.gov)  
**Cc:** Ron Cada; Ken Hultstrand; Doug & Lois Wilson; Jim & Clara Ihrig  
**Subject:** Vote No on Rezoning for NW corner of 27th & Old Cheney Rd

Dear Lincoln City Council Members,

We respectfully request you to vote against the rezoning to permit the CVS and other retail stores on the NW corner of 27th and Old Cheney Rd.

Please keep this property like it is for Office Space.

We like the way this corner looks with an attractive office building and beautiful mature trees.

Thanks in advance for your consideration of our views.

Sincerely yours,

Arlys & John Neuberger

6133 Old Farm CT.

Lincoln, NE -68512

ph.-402.423.6822

Council Members: Camp, Carroll, Cook, Emery, Hornung, Snyder and Spatz

I am writing in regard to the ongoing discussion about a proposed zone and use change for the Assurity Life Insurance property at 27<sup>th</sup> Street and Old Cheney Road. Because I live in the general vicinity of that corner and pass it frequently on my way to and from home, I have a vested interest in its disposition.

That property is currently a beautiful landmark, containing a uniquely attractive building and a marvelous campus that has been carefully landscaped and maintained over the many years of its existence. It will be a shame to lose that building, but I appreciate the owner's forthrightness in recognizing the tremendous cost of rehabilitating a structure of that age.

I have grave concerns as to what will become of that corner if allowed to be under the control of CVS/pharmacy (i.e., CVS Caremark). The typical CVS/pharmacy is a gaudy structure at best and, when coupled with some type of strip-mall-type building, will likely be an eyesore when compared with the current building and grounds.

Typical of many such 24/7 operations (e.g., Walgreens), there is frequent loud traffic noise around the facility, customer litter that is carried onto adjoining properties, piles of cardboard bundles, large dumpsters for waste storage, and nighttime truck traffic for unloading merchandise. During summer months, such locations are often a late night gathering place for "gearheads." Canterbury Lane will likely become a shortcut for delivery vehicles leaving and entering this property as well as for shoppers unwilling to wait for gaps in oncoming arterial traffic.

Homeowners who purchased houses with the understanding that the neighborhood was zoned residentially do not deserve this kind of surprise. There is nothing in the typical CVS/pharmacy that is not provided by several retailers already situated on commercially-zoned properties within a few minutes walk (or one minute drive) of this location. I am unaware of any neighborhood groups requesting this zoning change as a way to enhance their shopping convenience or satisfaction.

Descriptions are vague as to what else may be placed on this property once it has been rezoned. At that point, control becomes unmanageable. Who wants all of that just beyond the backs and side yards of the properties that abut this property? I hope you reject CVS Caremark's proposal for this change in zoning and use.

Sincerely,  
*Douglas J. Wilson*  
6110 Old Farm Ct.  
Lincoln, NE 68512  
402-328-818  
djwilson6110@windstream.net

**Mary M. Meyer**

---

**From:** Ted Guenther [tguenther@neb.rr.com]  
**Sent:** Tuesday, November 16, 2010 8:33 AM  
**To:** Council Packet  
**Subject:** Fw: Vote No on Rezoning for NW corner of 27th & Old Cheney Rd

**Importance:** High

Dear Lincoln City Council Members,

We respectfully request you to vote against the rezoning to permit CVS and other retail stores to build on the NW corner of 27th and Old Cheney Rd.

Please vote to keep this property zoned for office space. It is a beautiful corner with an attractive office building and beautiful mature trees.

Thank you in advance for your vote against the CVS pharmacy.

Respectfully

Ted & Rosi Guenther  
6102 Old Farm Court  
Lincoln, NE  
402-326-5291

## Mary M. Meyer

---

**From:** Council Packet  
**Subject:** FW: Vote No on Rezoning for NW corner of 27th & Old Cheney Rd

---

**From:** Jim Ihrig [<mailto:jimihrig@yahoo.com>]  
**Sent:** Monday, November 15, 2010 11:08 PM  
**To:** 'John Neuberger'; Council Packet; Doug Wilson  
**Cc:** 'Ron Cada'; 'Ken Hultstrand'  
**Subject:** RE: Vote No on Rezoning for NW corner of 27th & Old Cheney Rd

Thanks John. I also responded. We do not feel we need that development here and hope they vote to keep it out. I do hope they find a good use for the facility before it starts going down hill.

Thanks again.

Jim and Clara Ihrig

--- On **Mon, 11/15/10, Doug Wilson** <[djwilson6110@windstream.net](mailto:djwilson6110@windstream.net)> wrote:

**From:** Doug Wilson <[djwilson6110@windstream.net](mailto:djwilson6110@windstream.net)>  
**Subject:** RE: Vote No on Rezoning for NW corner of 27th & Old Cheney Rd  
**To:** "'John Neuberger'" <[ajneu@windstream.net](mailto:ajneu@windstream.net)>, [council@lincoln.ne.gov](mailto:council@lincoln.ne.gov)  
**Cc:** "'Ron Cada'" <[ronaldcada@neb.rr.com](mailto:ronaldcada@neb.rr.com)>, "'Ken Hultstrand'" <[khultstrand@neb.rr.com](mailto:khultstrand@neb.rr.com)>, "'Jim & Clara Ihrig'" <[jimihrig@yahoo.com](mailto:jimihrig@yahoo.com)>  
**Date:** Monday, November 15, 2010, 10:57 PM

Amen, John and Arlys. I share your opinion and will transmit a similar one to the Council. Thanks for your input.

**From:** John Neuberger [<mailto:ajneu@windstream.net>]  
**Sent:** Monday, November 15, 2010 7:33 PM  
**To:** [council@lincoln.ne.gov](mailto:council@lincoln.ne.gov)  
**Cc:** Ron Cada ; Ken Hultstrand; Doug & Lois Wilson; Jim & Clara Ihrig  
**Subject:** Vote No on Rezoning for NW corner of 27th & Old Cheney Rd

Dear Lincoln City Council Members,

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Thanks in advance for your consideration of our views.

Sincerely yours,

Arlys & John Neuberger

6133 Old Farm CT., Lincoln, NE -68512

ph.-402.423.6822

**Mary M. Meyer**

---

**From:** Janice Winklepleck [janicewinklepleck@yahoo.com]  
**Sent:** Tuesday, November 16, 2010 8:32 PM  
**To:** Council Packet; Council Packet  
**Subject:** CVS project on 27th and Old Cheney

I am opposed to this project for several reasons; we don't need another pharmacy in that location and the increased traffic and the congestion in the neighborhood will be dangerous.

Janice Winklepleck

**Mary M. Meyer**

---

**From:** Jim Ihrig [jimihrig@yahoo.com]  
**Sent:** Monday, November 15, 2010 10:51 PM  
**To:** Council Packet  
**Subject:** 27th and Old Cheney

Council Members

Our family lived in Southwood for a good number of years and then moved to where we use the 27th and Old Cheney intersection a number of times each day. It is troublesome now, but I cannot imagine with it will be with a CVS and other retail outlets on that corner.

The property is very nice. I can understand that the property is underutilized, but surely people with some imagination can find a way to use a fine building in a good space. It is corners and small spaces like this that help make our city livable and we would like to keep it that way. .

Your vote against the change in zoning will be much appreciated.

Jim Ihrig  
6135 Old Farm Court  
Lincoln, NE

**Mary M. Meyer**

---

**From:** Ron Jacob [rjjret@yahoo.com]  
**Sent:** Wednesday, November 17, 2010 2:13 PM  
**To:** Council Packet  
**Subject:** Rezoning of the corner of 27th and Old Cheney

Thank you for listening to the concerns of the residents of Southwood. I hope you heard what we were saying. A high volume business of any type on the corner of 27th and Old Cheney is irresponsible and a design for future problems.

There is absolutely no need for another pharmacy in this area. As one resident explained to the council, we have access to 8 pharmacies within less than 5 minutes of Southwood already. There is no intelligent reason for a pharmacy on every corner.

**"Is it a done deal?"** We've heard that if things are approved by the planning department and planning commission it is 99% sure of passage by the council.

No question when it comes to brick and mortar these people are the experts. But don't you think that the people who live with decisions that will impact them every day should have an equal say?

The lawyer for CVS appears to be very knowledgeable. However his desire to live close to a pharmacy in his neighborhood has no bearing on our situation.

He also must be living in a dream world if he truly believes that a big traffic company and a strip mall will not cause traffic problems, especially at 27th & Old Cheney.

His statement that traffic won't increase on Canterbury & Jamison is an extension of his dream.

**Traffic from CVS going north will have to find a way (Canterbury) to Jamison in order to cross the median at the light. Traffic leaving CVS and desiring to go east will have the option of crossing two lanes on 27th and turning on Old Cheney or going out to Canterbury, to Knolls Drive then turning east on Old Cheney. People driving west on Old Cheney will have to turn North on 27th then turn west on Jamison down to Canterbury then to the pharmacy. Another choice would be to turn right on Knolls Dr., then right again on Canterbury to the Pharmacy.**

In each scenario, residential traffic would be increased (and would get worse as the strip mall is built).

Considering that Canterbury is a bus route with parking on both sides and kids going to and from school this could really become a nightmare.

It would be nice if our association had the time and resources to have studies done on traffic, crime and the other undesirable effects of turning this corner into a commercial area. Unfortunately we have neither. It does seem strange that a large development like this can't produce qualified studies.

Please listen to the citizens affected by the decision you'll be making next Monday.

We like to brag about Lincoln being a great place to live, passing this zoning will make it less so.....

Ron Jacob

2500 Cheshire So.

**IN LIEU OF MEETING  
DIRECTORS' AGENDA  
ADDENDUM  
MONDAY, NOVEMBER 22, 2010**

**I. CITY CLERK**

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

**A. MAYOR**

1. NEWS RELEASE. Low interest rate on second arena bond sale saves more for taxpayers.
2. NEWS RELEASE. Mayor Beutler's public schedule for the week of November 20<sup>th</sup> through November 26, 2010.

**CITIZEN POLICE ADVISORY BOARD (CPAB)**

1. CPAB complaint #17-10, no corrective action warranted.

**B. DIRECTORS**

**HEALTH DEPARTMENT**

1. NEWS RELEASE. CEO breakfast focuses on the importance of employee wellness.

**CITY LIBRARIES**

1. NEWS RELEASE. Discussion of Nativ American Law After Standing Bear, Tuesday, November 30, 2010, 7:00 p.m., Gere Branch Library, 2400 S. 56<sup>th</sup> Street.

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

**JON CAMP**

1. Questions to Kevin Wailes, LES CEO, on LES proposed budget increase and late receipt of LES Board recommendations.
2. Reply from Kevin Wailes, Administrator & CEO, Lincoln Electric System regarding the CLRP not shared at the pre-council meeting on 11.15.10.
  - a) Letter, with signatures, on the Central Lincoln Reliability Project.

**JONATHAN COOK**

1. Linda I. Horton email stating reasons not to vote for the proposed rezoning of 27<sup>th</sup> Street and Old Cheney Road.
2. Marilyn and Dave Schaffer email asking for a no vote against the rezoning at 27<sup>th</sup> and Old Cheney Road for the CVS project.

**DOUG EMERY**

1. Reply to Michelle Waite's testimony sent to John Spatz. (Listed: John Spatz #1 and #1a)

## **JOHN SPATZ**

1. Correspondence between Councilman Spatz and Michelle Waite, UNL.
  - 1a. Testimony on Urban 38 from Michelle Waite, Assistant to the Chancellor for Community Relations, UNL, which was to be given November 15, 2010.

## **IV. CORRESPONDENCE FROM CITIZENS TO COUNCIL**

1. Pam Manske email stating her neighborhood group, the Lone Tree Neighbors, are opposed to the proposed CVS development at 27<sup>th</sup> Street and Old Cheney Road.
2. DiAnna and Herb Schimek email stating opposition to the proposed CVS development at 27<sup>th</sup> Street and Old Cheney Road.
3. Roger W. Hothan email. Vote no on the zoning change for the CVS pharmacy at 27<sup>th</sup> Street and Old Cheney Road.
4. Telephone messages from constituents:
  - a) Jan Jacob. Please vote no to rezoning 27<sup>th</sup> Street and Old Cheney Road. Think Council Members are losing sight of what the people who put them in office want. Also, huge lot zoned commercial at 14<sup>th</sup> and Old Cheney, just a few blocks away.
5. Scott Zager, Community Organization, email asking Council to vote no on the 27<sup>th</sup> and Old Cheney development. Be bold and direct the path of Lincoln not following a developer's lead.

## **V. INVITATIONS**

See invitation list.

**OFFICE OF THE MAYOR**

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

**FOR IMMEDIATE RELEASE:** November 18, 2010

**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831  
Don Herz, City Finance Director, 441-7412

**LOW INTEREST RATE ON SECOND ARENA BOND**  
**SALE SAVES MORE FOR TAXPAYERS**

Mayor Chris Beutler today announced that the West Haymarket Joint Public Agency (JPA) sold the second \$100 million in bonds for the new arena in two series at a combined interest rate of 3.757 percent. The difference between the conservative 5-percent estimate the City used for planning and the actual rate will result in a savings of about \$1.25 million per year during the first 10-year period. Over the 35-year life of the bonds, the savings is \$32 million.

The first series was \$67.965 million of Build America Bonds which are sold on a taxable basis, with the federal government providing a 35-percent subsidy. The City received five bids, and the buyer of the bonds was Robert W. Baird & Co.

The second series was \$32.035 million of Economic Recovery Zone Bonds, which have a federal subsidy of 45 percent. The City received one bid from Wells Fargo.

The bids are posted online at [aicauction.com](http://aicauction.com) (click on "results"). The City's financial advisor, Scott Keene from Ameritas Investment Corp., facilitated the transaction.

The first \$100 million in bonds for the new arena were sold in August at an interest rate of 3.2 percent, resulting in a savings of about \$1.8 million per year during the first 10-year period. Over the 35-year life of the bonds, the savings is \$50 million.

Information on the West Haymarket JPA is available at [lincoln.ne.gov](http://lincoln.ne.gov).

Date: November 19, 2010

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

**Mayor Beutler's Public Schedule**  
**Week of November 20 through 26, 2010**  
*Schedule subject to change*

Tuesday, November 23

- WorkWell CEO Breakfast - 7:45 a.m., BryanLGH East Plaza, 1500 S. 48th St. (Conference Room A)
- KFOR - 12:30 p.m. (pre-recorded)
- Announcement of health care initiative, remarks - 1 p.m., Center for People in Need, 3901 N. 27th St.

Thursday, November 25 and Friday, November 26

*CITY OFFICES CLOSED FOR THANKSGIVING HOLIDAY*



## Memo

To: Mayor Beutler  
City Council  
Chief Tom Casady

From: Carl Eskridge *CE*  
Chair, Citizen Police Advisory Board (CPAB)

Date: November 18, 2010

Re: Complaint #17-10

On November 7, 2010, the full CPAB met and, after considering Complaint 17-10 and all relevant reports, determined that no corrective action on the part of the Mayor and/or the Police Chief was warranted as a result of this complaint.

The complainant was advised accordingly.



# NEWS RELEASE

MAYOR CHRIS BEUTLER



LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT

3140 N Street, Lincoln NE 68510 • Phone: 441-8000

Fax: 441-6229

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

**FOR IMMEDIATE RELEASE:** November 22, 2010  
**FOR MORE INFORMATION:** Lisa Henning, 441-8049

## CEO Breakfast Focuses on the Importance of Employee Wellness

WorkWell, Inc., a program co-sponsored by the Lincoln-Lancaster County Health Department, will host a CEO breakfast meeting on Tuesday, November 23 at BryanLGH East Plaza Conference Room A from 7:45 a.m.-9:00 a.m. to discuss employee wellness as a critical business strategy in this time of health care reform.

Beau Reid, Vice President of Holmes Murphy, will present a view of how components of health care reform may change the way businesses look at health insurance and how employee wellness programs can play an important role in the personal health and economic health of a business.

Hank Orme, President of Lincoln Industries, will also provide evidence of how Lincoln Industries' wellness program has contributed to improved health of associates while having an economic benefit.

WorkWell is dedicated to helping create a culture in Lincoln that emphasizes employee wellness as an integral part of business operations.

Any CEO interested in attending this program or would like information on how to start a wellness program should contact Lisa Henning, WorkWell, Inc., 441-8049.

**Mary M. Meyer**

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**From:** Council Packet  
**Subject:** One Book - One Lincoln Event at Gere Branch Library

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**Subject:** One Book - One Lincoln Event at Gere Branch Library

**FOR IMMEDIATE RELEASE**

**CONTACT: Kathryn Kelley, Lincoln City Libraries**

**PHONE: 402-441-8529**

**EMAIL: [k.kelley@Lincolnlibraries.org](mailto:k.kelley@Lincolnlibraries.org)**

**Native American Law After Standing Bear**

**Tuesday, November 30, 2010, 7:00 p.m.**

**Gere Branch Library, 2400 So. 56th Street**

John Snowden, Professor Emeritus at the UNL College of Law, will discuss the history of Native American Law from the period after Standing Bear's trial to today, followed by questions from the audience.

Professor Snowden is an authority on Native American law from the mid-19th century to the present and has taught courses on the subject.

This is the final special event scheduled for One Book - One Lincoln 2010 featuring the book, "I Am A Man" by Joe Starita. For more information, contact Lincoln City Libraries at 402-441-8500.

Barbara Hansen  
Administrative Aide  
Lincoln City Libraries  
402-441-8512

## Mary M. Meyer

---

**From:** Jon Camp [JonCamp@lincolnhaymarket.com]  
**Sent:** Friday, November 19, 2010 2:59 PM  
**To:** kwaites@les.com  
**Cc:** Mary M. Meyer; Mayor; John Spatz; R. Adam Hornung; Jayne L. Snyder; euwc@aol.com; JCookCC@aol.com; Doug Emery  
**Subject:** CLRP Chart

Mr. Wailes:

Thank you for providing information on Wednesday, November 17, 2010, that I had requested at the Monday, November 15, 2010 City Council Pre-Council meeting on the 2011 LES Budget increase request.

At the Monday meeting I specifically asked about the proposal to be presented in Resolution 2010-12 to the LES Board. You responded that you would not know till possibly the next day, Tuesday. After a second request, I received your Wednesday, November 17, 2010 email. One of your attachments was the chart with bullets that summarized various "Pros" and "Cons" of the four alternatives (prior to Monday, November 15h, we only knew of 3 alternatives). In reviewing the Chart, I noticed 2 items: (1) the fourth option listed as "Revised Staff Recommendation", and (2) the charter was dated "As of November 3, 2010".

Please explain why on November 15<sup>th</sup>, nearly 2 weeks after the date of the Chart with the 4<sup>th</sup> alternative, why you could not tell me what was being recommended to the LES Board.

Would you please also furnish a copy of the letter to the LES Board or LES that was discussed that contained signatures of representatives from UNL, Assurity Insurance, the Lincoln Chamber and Mayor Beutler?

Thank you,

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**  
**Fax: 402.474.1838**  
**Cell: 402.560.1001**

**Email: [joncamp@lincolnhaymarket.com](mailto:joncamp@lincolnhaymarket.com)**

**“The American Republic will endure until the day Congress discovers that it can bribe the public with the public's money”**

~ *Alexis de Tocqueville* ([French Historian](#) and [Political scientist. 1805-1859](#))

## Mary M. Meyer

---

**From:** Kevin Wailes [kwailes@les.com]  
**Sent:** Friday, November 19, 2010 4:12 PM  
**To:** Jon Camp  
**Cc:** Mary M. Meyer; Mayor; John Spatz; R. Adam Hornung; Jayne L. Snyder; euwc@aol.com; JCookCC@aol.com; Doug Emery; Admin. Board  
**Subject:** RE: CLRP Chart  
**Attachments:** LCOC CLRP letter 9-30-10.pdf

Councilman Camp:

As we discussed in our extended conversation yesterday, there were 2 predominant reasons I did not feel I could share the recommendation at the City Council Pre-Council meeting on November 15, 2010. The first was that the recommendation was not final and had not been distributed to the entire LES Board at that point. And secondly, the reason it was not final and had not been distributed to the LES Board was that the Chancellor had not discussed the concept with the appropriate Committee of the Regents. To the extent there were concerns raised by the Regents' Committee relating to the concept, we would have had to reconsider our recommendation based on our understanding of the position of the Operation and Power Supply Committee. For further clarification, the staff recommendation and "concept" for participation by UNL was not discussed with the Board Operations and Power Supply Committee until November 5, 2010.

While I am new to my position in Lincoln, my practice in over 34 years of service to Boards and Commissions has been to not share significant policy recommendations/information with the public before it is provided to the respective Board/Commission. Immediately after sending the information to the LES Board late Tuesday afternoon, we issued press releases which unfortunately were not used by some media outlets.

I apologize for the delay in providing you the same package of information that was provided to the LES Board. When I received your request for additional information on the process on Wednesday morning, I wanted to provide you a comprehensive response that included all of the information you had requested. Unfortunately, I was unable to get that compiled before Wednesday mid-afternoon.

The letter you requested is attached to this email.

I hope this addresses your questions.

Kevin

**Kevin G. Wailes**  
**Administrator & CEO**  
**Lincoln Electric System**  
**1040 O St.**  
**Lincoln, NE 68501-0869**  
**Ph. (402) 473-3392**  
[\*\*kwailes@les.com\*\*](mailto:kwailes@les.com)

**LES Vision:** *Striving to be the world's best energy company.*  
**LES Mission:** *LES is a progressive leader, partnering with the community to maximize energy value and quality of life in an environmentally-responsible manner.*

---

**From:** Jon Camp [<mailto:JonCamp@lincolnhaymarket.com>]  
**Sent:** Friday, November 19, 2010 2:59 PM  
**To:** Kevin Wailes  
**Cc:** Mary M. Meyer; [mayor@lincoln.ne.gov](mailto:mayor@lincoln.ne.gov); John Spatz; R. Adam Hornung; Jayne L. Snyder; [euwc@aol.com](mailto:euwc@aol.com); [JCookCC@aol.com](mailto:JCookCC@aol.com); Doug Emery  
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Thank you,

Jon

**JON A. CAMP**  
**Haymarket Square/CH, Ltd.**  
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**Email: [joncamp@lincolnhaymarket.com](mailto:joncamp@lincolnhaymarket.com)**

**“The American Republic will endure until the day Congress discovers that it can bribe the public with the public's money”**

~ *Alexis de Tocqueville* ([French Historian](#) and [Political scientist](#). [1805-1859](#))

RECEIVED  
OCT 7 2010  
ADMINISTRATION



September 30, 2010

Kevin Wailes, Administrator/CEO  
Lincoln Electric System  
1040 O Street  
Lincoln, NE 68508

Re: Central Lincoln Reliability Project

Dear Mr. Wailes:

We write to express our mutual interest and concern with regard to the Central Reliability Project (CRP) route currently being planned by LES. The undersigned parties - the Lincoln Chamber of Commerce, the University of Nebraska – Lincoln, 2015 Vision, the City of Lincoln and Assurity Life Insurance - are all deeply committed to and support a vibrant and growing community. We view the LES Central Reliability Project as an important and beneficial component toward our community's continued growth.

As such, we understand that decisions being contemplated on the proposed CRP route today will have irreversible, long-term consequences related to the economic growth and high-impact development we are currently seeing and anticipate in the Antelope Valley Redevelopment area.

In the interest of promoting and protecting current and future community and private investment, we are particularly concerned with the northern portion of the proposed route. We strongly believe that this segment (running from the new substation at 21<sup>st</sup> and 'N' north through the Antelope Valley Development and the University of Nebraska campus to the substation at 17<sup>th</sup> and Holdrege) should be underground.

Overhead lines along this segment will significantly detract from the \$246 million public investment in the Antelope Valley area. A significant element of the investment in the Antelope Valley Project was premised on encouraging the redevelopment of the East downtown and the associated benefits to the surrounding neighborhoods. We have no doubt that such lines will negatively impact our current private investment efforts, as well as our ability to recruit new private investment along this corridor in the future. Although we, too, are sensitive to the additional costs associated with underground lines, we believe that these costs are a necessary investment to preserve the economic potential of this area.

Thank you, in advance, for considering our concerns. We appreciate the opportunity to comment, and we commend you and your staff for the process of public input you have undertaken in planning this important project. In making its decision on the new route, we simply ask that the LES Board consider not only the upfront costs of this project, but also the long-term ramifications of this decision.

Sincerely,



Wendy Birdsall  
Lincoln Chamber



Tom Henning  
Assurity Life Insurance



Chancellor Harvey Perlman  
University of Nebraska - Lincoln



Mayor Chris Beutler  
City of Lincoln



Marc LeBaron  
2015 Vision

**Mary M. Meyer**

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**Subject:** FW: REZONING Vote

**Subject: REZONING Vote**

Greetings,

I am a homeowner in the Southwood Neighborhood and have serious concerns with the proposal to redevelop and re-zone the corner of 27th and Old Cheney. The existing uses fit with the neighborhood.

Adding retail zoning and expansion to this mix will create some drastic, negative changes. The proposal of a CVS pharmacy brings us about the worst of all possible neighbors. We have eight pharmacies within minutes of the neighborhood now. There is no reason why we need another.

And why are we doing this? Is it for Assurity, who wants to move to a better location and maximize profits on the old spot? Is it for Lincoln, to provide more needed retail services? Is it for the sake of commercial development at any cost?

I encourage you, PLEASE VOTE AGAINST THE PROPOSAL TO REZONE SOUTHWOOD. As citizens, we must rely on you, our elected representatives, to protect the neighborhood values the folks of Lincoln value so highly.

Linda I. Horton  
2521 Cheshire S.  
Lincoln NE 68512  
423-0254

**Mary M. Meyer**

---

**Subject:** Rezoning CVS project in Southwood Neighborhood

**Subject: Rezoning CVS project in Southwood Neighborhood**

Ref: Re-zoning, CVS project Southwood neighborhood

My name is Marilyn Schaffer and I reside at 2510 County Down Court (in Southwood), Lincoln, Nebraska. We have lived in our home since 1979. We selected the area and our home based in large part on the enclosed residential nature of the development , (with brick walls surrounding, limited entrances and exits, and low traffic patterns, coupled with Hill school).

While I understand the neighborhood does not own the property in question, we do own our homes, purchased with the understanding that zoning and city government would only change if it did not NEGATIVELY affect our property, and use of our property.

I believe that there is marginal benefit to the greater community of Lincoln, and minimal tax base increases for the city with the project. It will not create additional revenue or jobs, rather redistribute, among the many that exist already through this area of our city.

Rather than relist all of the reason that this development IS negative for Southwood property owners, my request is that as our representatives you listen to the negative impacts of CHANGING the rules on us post purchase of our property.

Thank you for taking you taking your time to read this email, and appreciate your efforts in ensuring that decisions are taken for the greater good of the citizens of Lincoln.

I'm grateful that my voice can be heard and decisions can be impacted by those affected.

Marilyn and Dave Schaffer  
2510 County Down Court  
Lincoln , NE 68512  
402-423-3865

## Mary M. Meyer

---

**From:** Dougemerypm@aol.com  
**Sent:** Monday, November 22, 2010 9:27 AM  
**To:** Mary M. Meyer; ahornung@scudderlaw.com; euwc@aol.com; snyderpt@navix.net; joncamp@lincolnhaymarket.com; Jonathan A. Cook; Jsnyder2@neb.rr.com; jspatz@nasbonline.org  
**Subject:** Re: FW: Urban 38

While I understand the University's position, it appears ANY problems they have with this project has to do with protecting THEIR financial interests (IE: Having students in THEIR housing vs PRIVATE housing) I am not sure it is our job to limit the options to make UNL housing more attractive. If we are not going to meddle with capitalism on 27th and Old Cheney then it should carry no weight with Block 38 either. The MARKET can decide

Doug

In a message dated 11/22/2010 8:07:06 A.M. Central Standard Time, [mmmeyer@lincoln.ne.gov](mailto:mmmeyer@lincoln.ne.gov) writes:

FYI.

---

**From:** John Spatz [<mailto:jspatz@nasbonline.org>]  
**Sent:** Saturday, November 20, 2010 11:40 AM  
**To:** Mary M. Meyer  
**Subject:** FW: Urban 38

Can you send this to the other council members?

---

**From:** Michelle R Waite [<mailto:mwaite@unlnotes.unl.edu>]  
**Sent:** Tuesday, November 16, 2010 4:23 PM  
**To:** John Spatz  
**Subject:** RE: Urban 38

Thanks John! I've attached a pdf of the testimony I had planned to present.

*(See attached file: Urban38Testimony.pdf)*

Michelle R. Waite  
Assistant to the Chancellor  
for Community Relations  
201 Canfield Administration Building  
Lincoln, NE 68588-0419  
(402)472-2116

▼ "John Spatz" ---11/16/2010 10:21:52 AM---Michelle,

From: "John Spatz" <[jspatz@nasbonline.org](mailto:jspatz@nasbonline.org)>

To: "Michelle R Waite" <[mwaite@unlnotes.unl.edu](mailto:mwaite@unlnotes.unl.edu)>  
Date: 11/16/2010 10:21 AM  
Subject: RE: Urban 38

---

Michelle,

Yes, the council would be interested in anything the university would like to add to this discussion.

John

**From:** Michelle R Waite [<mailto:mwaite@unlnotes.unl.edu>]  
**Sent:** Tuesday, November 16, 2010 10:17 AM  
**To:** John Spatz  
**Subject:** Urban 38

Good morning John!

I regret that I had to leave yesterday prior to the public discussion on the Urban 38 project. I didn't realize that the Assurity discussion would take the time it did and I had a 5:00 meeting that I needed to attend, which had already been rescheduled once. I'm guessing like you, I also didn't get home until almost 8:00 p.m.

I realize that the public testimony is closed although let me know if you are interested in my comments that I had planned to present on behalf of UNL.

Again, many thanks for your leadership in the Council! Let's just say you are a very patient person...

Michelle R. Waite  
Assistant to the Chancellor  
for Community Relations  
201 Canfield Administration Building  
Lincoln, NE 68588-0419  
(402)472-2116

---

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

## Mary M. Meyer

---

**Subject:** FW: Urban 38  
**Attachments:** Urban38Testimony.pdf

---

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Michelle R. Waite  
Assistant to the Chancellor  
for Community Relations  
201 Canfield Administration Building  
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(402)472-2116

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**To:** "Michelle R Waite" <[mwaite@unlnotes.unl.edu](mailto:mwaite@unlnotes.unl.edu)>

**Date:** 11/16/2010 10:21 AM

**Subject:** RE: Urban 38

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Again, many thanks for your leadership in the Council! Let's just say you are a very patient person...

Michelle R. Waite  
Assistant to the Chancellor  
for Community Relations  
201 Canfield Administration Building  
Lincoln, NE 68588-0419  
(402)472-2116

November 16, 2010

OFFICE OF THE CHANCELLOR

Chairman Spatz and members of the City Council. My name is Michelle Waite and I am here representing the University of Nebraska-Lincoln in support of the Urban 38 project. Our decision to support this project is after thorough and deliberative discussion on campus despite our concerns about the option of offering additional student housing in close proximity to campus.

Development projects such as Urban 38 offer the ability to further enhance our downtown with additional economic development opportunities and parking. It also expands the core of the retail development just south of the Lincoln campus. Creating and continuing to enhance a vibrant and safe environment is a benefit to the Lincoln community and provides a positive impression for perspective students and their families.

UNL has invested over \$200 million dollars since 2000 to renovate, remodel and build many of our student residential facilities. With our enrollment at an all time high, and entrance into the Big Ten, we anticipate that our numbers will climb even higher. Our success in recruiting is not only dependent on the quality of our academic programs, it's also dependent on the ability to offer a learning and living environment conducive in assisting a student to meet or exceed their requirements for graduation. Our residential facilities are an important factor in a student's decision making process as well as their success as they progress through their college education.

While we know that many of our upper class students live off campus, our research indicates that the longer a student lives on campus, immersed in the campus environment, the likelihood of their success as a student. Aside from their normal academic requirements, their residence on campus provides many different support structures not immediately available if a student resides off campus.

On balance, we have decided to support this project although would respectfully request that the city take into consideration our interest if another private student housing development would arise and carefully deliberate issues that may be indirectly affected by such a development. The University of Nebraska-Lincoln would likely not be comfortable with additional developments of this nature.

Thank you for allowing me the time to testify. I would be happy to answer any questions at this time.

## Mary M. Meyer

---

**From:** pam@huskers.unl.edu  
**Sent:** Friday, November 19, 2010 8:50 AM  
**To:** Council Packet  
**Subject:** Please vote "NO" - 27 & Old Cheney Rd

November 19, 2010

City Council Members  
City of Lincoln, NE  
555 S. 10th  
Lincoln, NE 68508  
[council@lincoln.ne.gov](mailto:council@lincoln.ne.gov)

Re: 27 and Old Cheney Road, proposed CVS

Dear Council Members:

Our Neighborhood Group is opposed to the proposed CVS development at 27<sup>th</sup> and Old Cheney Road. We know the history of the 27<sup>th</sup> and Old Cheney neighborhood -- the city has previously disallowed retail zoning there. We remember Whitehead Oil's land at that location was down zoned, and we know the city does not typically spot-zone or change existing office zoning in established neighborhoods to retail zoning. We know there is plenty of B-zoned property within one mile of this intersection, in all directions, and the proposed zoning change from O-3 to B-2 will have a great impact on the 27<sup>th</sup> and Old Cheney intersection, including 24-hour operation, addition of a drive-thru, liquor sales, bright lighting, larger signage, and increased traffic. We ask that you please take our concerns into account. Please vote "NO" on this rezoning.

Sincerely,

Lone Tree Neighbors

Pam Manske  
6435 Lone Tree Drive  
Lincoln, NE 68512

**Mary M. Meyer**

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**From:** DiAnna Schimek [dschimek@earthlink.net]  
**Sent:** Friday, November 19, 2010 2:37 PM  
**To:** Council Packet  
**Subject:** Proposed CVS at 27th and Old Cheney

November 19, 2010

City Council Members  
City of Lincoln, NE  
555 S. 10th  
Lincoln, NE 68508  
[council@lincoln.ne.gov](mailto:council@lincoln.ne.gov)

Re: 27 and Old Cheney Road, proposed CVS

Dear Council Members:

We are opposed to the proposed CVS development at 27th and Old Cheney Road. We know the history of the 27th and Old Cheney neighborhood -- the city has previously disallowed retail zoning there. We remember Whitehead Oil's land at that location was down zoned, and we know the city does not typically spot-zone or change existing office zoning in established neighborhoods to retail zoning. We know there is plenty of B-zoned property within one mile of this intersection, in all directions, and the proposed zoning change from O-3 to B-2 will have a great impact on the 27th and Old Cheney intersection, including 24-hour operation, addition of a drive-thru, liquor sales, bright lighting, larger signage, and increased traffic. We ask that you please take our concerns into account. Please vote "NO" on this rezoning.

Sincerely,

DiAnna and Herb Schimek  
6437 Lone Tree Drive  
Lincoln NE 68512

**Mary M. Meyer**

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**From:** Roger Hothan [rh10542@hotmail.com]  
**Sent:** Sunday, November 21, 2010 11:17 PM  
**To:** Council Packet; Jonathan A. Cook; demery@lincol.ne.gov; Eugene W. Carroll;  
jsynder@lincoln.ne.gov  
**Subject:** CVS vote

Dear Lincoln City Council Members,

I am writing in regards to the vote on the zoning change for the CVS Pharmacy on the corner of 27th and Old Cheney on Monday November 22, 2010. PLEASE do not vote for this zone change. I recently moved into this area of Lincoln after 35 years of living on 27th Street. The noise level on Canterbury Lane is enjoyable and quiet compared to where I use to live. It is nice to be able to sit outside and not here cars racing up and down the streets, people getting in and out of their vehicles to go in and get something and big overhead lights not be on from dusk to dawn. We do not need another pharmacy around this area with all of the ones that are already here. I am all foir change but I think an office building of some type would be better suited for that area of our city. Thank you

**Roger W. Hothan**

## Mary M. Meyer

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**From:** Community Organization [promotelincoln@gmail.com]  
**Sent:** Monday, November 22, 2010 11:44 AM  
**To:** Jon Camp; Jonathan A. Cook; Doug Emery; Eugene W. Carroll; Adam A. Hornung; John Spatz; Jayne L. Snyder; Council Packet  
**Cc:** wbirdsall@lcoc.com; Mayor  
**Subject:** re-zoning vote today

Today, as you vote on the 27<sup>th</sup> & Old Cheney development, please say no to re-zoning. Be bold and direct the path of Lincoln rather than merely following a developer's lead. You can show the impact of a neighborhood united, and foster continued community involvement rather than discourage it. You can send the message to developers to work with neighbors early in a project, BEFORE it reaches the city planners, and you can show the residents of Lincoln you place long-term growth above special interests. Don't extend favors that simply allow Assurity to re-sale this property. Let's work to find a plan B that works for Lincoln's future.

Circumstances gave you an out. The developer did not do its job to show the net traffic change, but instead added a fictional 2<sup>nd</sup> office space in its baseline. Traffic and safety are significant factors, especially adjacent to a street earmarked to become a principal arterial (27<sup>th</sup>), and another identified by LPD as one of the most dangerous in Lincoln (Old Cheney).

Zoning changes come to you for a reason. Please don't take the easy way out. Lincoln deserves better. Create a legacy. Preserve the zoning of this land and work to attract new high-end business and jobs to this area. More employees with higher wages will mean increased business for the surrounding business centers, and ultimately far greater revenues for Lincoln.

Once this office park is gone, we cannot recover it. Meanwhile there are other existing retail spaces available for CVS to settle without reducing tax revenue.

Scott Zager