



Directors Meeting

Monday, April 3rd, 2023, 2:00 p.m.

555 S 10th Street Luxford Studio

- I. **Approval of Directors Minutes from March 20th**
- II. **City Council Agenda & City Clerk Advisories**
 - i. Public Comments will be held on April 10th & April 24th.
- III. **Directorial Advisories**
 - i. BPC230322 - 2 PC ACTION - Shelli Reid
 - ii. REVISED - BPC230322 -3 PCAction - Shelli Reid
 - iii. BP230328 - 1 Aa Weekly Approvals City - Jennifer McDonald
- IV. **Constituent Correspondence**
 - i. Paid Parental Leave Proposal - Jay Edmiston
 - ii. 27th and Starr St. proposal - Bob Reeves
 - iii. Annexation for Clarington Hills - Deb Krumvieda
 - iv. Special Permit - Michael & Katherine Keady
 - v. Annexation Proposal - Gary Myers
 - vi. Lack of Response - Street Racing and Loud Cars - Nolan Waak
 - vii. High Plains Gunstocks Jacob Meyer - Jim Brickey
- V. **Adjournment**

****ACTION BY PLANNING COMMISSION****

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, March 22, 2023, at 1:00 p.m. in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

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

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

AGENDA

WEDNESDAY, March 22, 2023

[Commissioner Ball absent]

Approval of minutes of the regular meeting held March 8, 2023. ****APPROVED: 7-0 (Corr abstained; Ball absent)****

1. CONSENT AGENDA
(Public Hearing and Administrative Action)

COMPREHENSIVE PLAN AMENDMENT:

- 1.1 COMPREHENSIVE PLAN AMENDMENT 23001, to amend the Lincoln-Lancaster County 2050 Comprehensive Plan to add the Major Streets and Right-of-Way Map, with accompanying text.
Staff recommendation: Approval
Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov
Planning Commission granted the request on behalf of staff for a 2-week deferral, scheduled for April 5, 2023, Planning Commission hearing.

ANNEXATION AND RELATED ITEM:

- 1.2a ANNEXATION 23004, to annex approximately 6.75 acres, more or less, on property generally located at South 1st Street and West Denton Road.
Staff recommendation: Conditional Approval
Staff Planner: Benjamin Callahan, 402-441-6360, bcallahan@lincoln.ne.gov
Planning Commission recommendation: CONDITIONAL APPROVAL: 8-0 (Ball absent), as set forth in the conditions of the staff report dated March 9, 2023.
Public hearing before the City Council is tentatively scheduled for Monday, April 10, 2023, 3:00 p.m.

- 1.2b CHANGE OF ZONE 05061F, for the change of zone from AG (Agricultural District) to B-2 (Planned Neighborhood Business District) PUD (Planned Unit Development) and expansion of approximately 6.75 acres, more or less, to the Southwest Village PUD B-2 Casino Area for additional temporary parking, on property generally located at South 1st Street and West Denton Road.
Staff recommendation: Conditional Approval
Staff Planner: Benjamin Callahan, 402-441-6360, bcallahan@lincoln.ne.gov
Planning Commission recommendation: CONDITIONAL APPROVAL: 8-0 (Ball absent), as set forth in the conditions of the staff report dated March 9, 2023.
Public hearing before the City Council is tentatively scheduled for Monday, April 10, 2023, 3:00 p.m.

CHANGE OF ZONE:

- 1.3 CHANGE OF ZONE 23017, from R-6 (Residential District) to B-3 (Commercial District), on property generally located at 701 North 27th Street.
Staff recommendation: Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Planning Commission recommendation: APPROVAL: 8-0 (Ball absent). Public hearing before the City Council is tentatively scheduled for Monday, April 10, 2023, 3:00 p.m.

SPECIAL PERMIT AND RELATED ITEM:

- 1.4a SPECIAL PERMIT 1304A, to allow for the expansion and reconstruction of a nonconforming and nonstandard use with associated waivers to reduce the front, side, and rear yard setbacks, increase the building height, and modify parking requirements, on property generally located at 2032 U Street.
Staff recommendation: Conditional Approval
Staff Planner: Benjamin Callahan, 402-441-6360, bcallahan@lincoln.ne.gov
Planning Commission recommendation: CONDITIONAL APPROVAL: 8-0 (Ball absent), as set forth in the conditions of the staff report dated March 9, 2023.
Public hearing before the City Council is currently pending.
- 1.4b STREET & ALLEY VACATION 23001, vacating a portion of excess right-of-way along the south side of Vine Street between North Antelope Valley Parkway and North 22nd Street for the Clyde Malone Community Center, adjacent to property generally located at 2032 U Street.
Staff recommendation: Conforms to the Comprehensive Plan
Staff Planner: Benjamin Callahan, 402-441-6360, bcallahan@lincoln.ne.gov
Planning Commission recommendation: FINDING OF CONFORMANCE: 8-0 (Ball absent). Public hearing before the City Council will be scheduled when the provisions 14.20 of the Lincoln Municipal Code have been satisfied.

SPECIAL PERMIT:

- 1.5 SPECIAL PERMIT 23014, to allow for a CUP (Community Unit Plan) for 14 dwelling units and associated waivers, on property generally located at North 26th Street and Old Dairy Road. The Planning Commission action is final, unless appealed to the Lincoln City Council. *** FINAL ACTION ***
Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov
Planning Commission "final action": CONDITIONAL APPROVAL, as set forth in the conditions of the staff report dated March 8, 2023: 8-0 (Ball absent) Resolution

2. REQUESTS FOR DEFERRAL: Item 1.1

3. ITEMS REMOVED FROM CONSENT AGENDA:

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:

COMPREHENSIVE PLAN AMENDMENT AND RELATED ITEMS:

4.1a COMPREHENSIVE PLAN AMENDMENT 23002, to amend the Lincoln-Lancaster County 2050 Comprehensive Plan to revise the Future Land Use Map from Urban Residential to Commercial and Urban Residential for Hoppe's Echo Addition, on property generally located at 1620 South 84th Street.

Staff recommendation: Denial

Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

Planning Commission recommendation: APPROVAL: 5-3 (Corr, Cruz and Edgerton dissenting; Ball absent). Public hearing before the City Council is currently pending.

4.1b CHANGE OF ZONE 23013, from AG (Agricultural District) to R-1 (Residential District) PUD (Planned Unit Development) for Hoppe's Echo Addition, to allow for up to 8,200 square feet of office use and a hotel with up to 5 rooms, with associated waivers, on property generally located at 1620 South 84th Street.

Staff recommendation: Denial

Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

Planning Commission recommendation: APPROVAL, as amended for conditions of approval as recommended by applicant; 4-4 (Corr, Cruz, Eddins and Edgerton dissenting; Ball absent). The motion failed due to the lack of 5 affirmative votes. The Planning Commission will take action this application at the April 5, 2023, hearing. The public hearing on this application was closed.

4.1c ANNEXATION 23001, to annex approximately 4.70 acres, more or less, for Hoppe's Echo Addition, on property generally located at 1620 South 84th Street.

Staff recommendation: Denial

Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

Planning Commission recommendation: APPROVAL 5-3 (Corr, Cruz and Edgerton dissenting; Ball absent). Public hearing before the City Council is currently pending.

5. CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION

COMPREHENSIVE PLAN CONFORMANCE:

5.1 COMPREHENSIVE PLAN CONFORMANCE 23003, to review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan, a proposed amendment to the Van Dorn Redevelopment Plan to make updates throughout the document, including amending the redevelopment area boundary, generally bounded by Hill Street on the north, 13th Street on the east, Lowell Street on the south, and 7th Street on the west, also including the Pedestrian Crossing and Van Dorn Park Enhancement Project with a project area that includes Van Dorn Park, public right-of-way along 9th, 10th, High, and Van Dorn streets, as well as the parcel located at 2744 S 9th Street, on property generally located at 10th & Van Dorn Streets.

**Staff recommendation: In Conformance with the Comprehensive Plan
Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov
Planning Commission recommendation: FINDING OF CONFORMANCE: 8-0 (Ball
absent), Public hearing before the City Council is tentatively scheduled for
Monday, April 17, 2023, 3:00 p.m.**

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

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Adjournment: 2:57 p.m.

****REVISED ACTION BY PLANNING COMMISSION****

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Adjournment: 2:57 p.m.

Memorandum

Date: March 28, 2023
To: City Clerk
From: Alexis Longstreet, Planning Dept.
Re: Administrative Approvals
cc: Shelli Reid, Planning Dept.

This is a list of City administrative approvals by the Planning Director from March 21, 2023, through March 27, 2023:

Administrative Amendment 22065, to Change of Zone #21057, Wilderness Crossing Planned Unit Development, was approved on March 27, 2023, to complete the layout, roadway profiles, and the grading and drainage plans on property generally located at the southwest corner of West Pioneers Boulevard and South 1st Street.

From: [Edmiston](#)
To: [Council Packet](#)
Subject: Paid Parental Leave Proposal
Date: Friday, March 24, 2023 10:58:44 AM

Good day Council Members

Making City jobs attractive is a good idea, but this proposal is going too far.

Giving the maternal parent six weeks of paid leave makes sense, but granting the same benefit to the non birth parent is questionable.

If being off work is truly a necessity for the non birth parent, there are already vacation time, family sick time and unpaid leave time options available. These options should be utilized first before expecting taxpayers to subsidize the new parent process.

This looks to be a grand opportunity for a non birth parent to get six weeks of paid leave time free, with no obligation to prove any necessity. Folks that choose to grow a family shouldn't expect the taxpayer to foot the bill for it.

I hope the council will take a hard look at this issue from the standpoint of being good shepherds of City tax dollars.

Thank you for listening.

Jay Edmiston

528 Trail Ridge Road

Lincoln NE 68505

402-318-1411

Sent from [Mail](#) for Windows

From: [Bob Reeves](#)
To: [James M. Bowers](#); [Michelle R. Suarez](#); [Richard W. Meginnis](#); [Tammy J. Ward](#); [Sandra J. Washington](#); [Bennie R. Shobe](#); [Tom J. Beckius](#); [Council Packet](#)
Subject: 27th and Starr St. proposal
Date: Sunday, March 26, 2023 2:52:47 PM
Attachments: [Facebook listing by LA Properties.docx](#)

Dear City Council members:

This is a letter in opposition to the proposed 15-unit rental development at the northeast corner of 27th and Starr streets. A public hearing on this project is on the council's April 3 agenda.

We believe this project would have a negative impact on our neighborhood. It is part of a disturbing trend in which new duplexes and apartment buildings are being built--in a large part by this same developer, Aaron Burd--and are gradually changing the character of our neighborhood for the worse. Within a year after being built, his properties are sold to other owners, many of whom do not live in Lincoln. The rentals may be managed by a Lincoln company, but we're concerned the owners will only want to make profits, not improve our neighborhood.

We have seen that the new rental units Burd has completed in the Clinton area are being marketed mainly to college students. The typical rent for a four-bedroom apartment is \$2,000--but they are advertised on Facebook as "\$500 or LESS" per person, clearly marketing to non-related tenants who will share the rent. The 27th and Starr proposal is for an apartment building with 12 three-bedroom units, plus three row homes with 4 bedrooms each. We expect these will likely be occupied by students or others who are temporary residents with no commitment or ties to our neighborhood.

Three (or possibly only 2) units in the 12-plex will be "affordable," but we don't believe this will meet the need for affordable housing for families with children. We support affordable housing, but the crying need is for more clean, safe housing for low- to moderate-income families. The Planning Dept. report on this project acknowledges it will have a minimal impact on schools, because they don't expect children to be living there. This proposal apparently meets the requirements of the Comprehensive Plan, 27th St. Plan and all codes. What is needed are adjustments to these policies and regulations to promote more family-oriented housing.

We also believe that 1.5 parking spaces per unit is insufficient for the number of occupants with vehicles who will be living in these apartments. At least two spaces per unit would be better, but there obviously isn't sufficient land on the property for that much parking. The earlier proposal for only nine townhouses on his property would have allowed sufficient parking plus more greenspace. If the limit on parking is supposed to encourage people to use public transportation, that's going about the problem backwards. We need more frequent service and longer hours on all bus routes, and proof that people are using public transit before reducing residential parking requirements.

Whenever a parking lot is built, it increases the runoff going into the storm sewer system. We would like to see the city adopt new standards that would require parking lots to have rain gardens or permeable surfaces that would allow water to percolate into the ground.

We're attaching the text of the LA Properties listing, copied directly from their Facebook posting.

Thank you for consideration of our concerns,

Bob and Mary Lou Reeves
3236 Dudley St.
Lincoln, NE 68503 .

Below is the text of the promotion currently posted on the LA Properties Facebook page:

We have multiple BRAND NEW duplexes and apartments available for the 2021 - 2022 school year!!!

PM for details.

L.A. Properties

Property Management Company

(at this point there is a large color photo of the NU logo and a picture of the crowd at memorial stadium) Below that is the following description that has been up on their page for the last three years—they keep moving it to the top.)

[L.A. Properties](#)

[November 23, 2019](#) ·

Top 5 Reasons [#UNL](#) [#students](#) love our [#affordable](#) [#offcampushousing](#)

1. Proximity to Campus: All of our duplexes and townhomes are less than 6 minutes from UNL!
2. Affordability: Rent is \$500 or LESS per person!
3. Modern Design: All of our units have large bedrooms with walk-in closets, brand new appliances, granite countertops, and high-end fixtures.
4. Cleanliness: Our duplexes are in pristine condition. We build high-quality homes and take pride in our work.
5. Amenities: Full-sized washer and dryers are in every unit! We also offer free off-street parking or garages.

0 comments

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From: [Deb Krumvieda](#)
To: [Council Packet](#)
Subject: Annexation for Clarington Hills
Date: Monday, March 27, 2023 10:01:02 AM

This is Jerry and Deb Krumvieda
7111 Travis Drive

We are out of town and cannot attend the meeting today. We would appreciate you delaying this meeting. Our greatest concern is not having water for fire protection. Living on 3 - 4 acres for fire protection is different than a city lot. The comprehensive map shows annexation to take place in 2035 with all the benefits including water and fire hydrants.

Sent from my iPad

To: City Council Members -

This letter is in rebuttal to the SPECIAL PERMIT 23005, for the property at 3737 Calvert, Lincoln, NE.

We have lived in our home at 3740 Calvert St., since July 1990. We frequented the three houses across the street from us on Calvert, which includes 3737 Calvert, as our children were growing up.

We are ONLY the second home-owners of our home. Many of the homes in our neighborhood have the same longevity and roots planted. My husband grew up in this neighborhood and we returned here to live and raise our family. I believe the property at 3737 Calvert was also purchased by the original owners before selling to this company. You don't find homes like this in Lincoln, with mature yards and property. This is a unique property and area as the backyards meet up with the backyards a block away.

This is A PART OF the OLD SOUTH Lincoln NEIGHBORHOODS. The heart and soul of Lincoln, established homes, yards, families, country club, schools. Why mess with this now? There are plenty of other properties to put this proposed Residential Group Home. We both have actually worked in several behavioral group homes. NEVER would they be licensed for 16. At this number it no longer is a "residential HOME".

Adding a COMMERCIAL BUSINESS that WILL NEVER BE a RESIDENTIAL home again??? This is a neighborhood. This stretch of Calvert Street between 33rd and 40th is WELL TRAVELED; the 25 mph speed limit is rarely seen. This particular property sits where there is a blind spot due to the road's hill and is not conducive to pulling in and out of, delivery trucks, etc. It can and has been a real danger.

I understand that the Planning Commission unanimously approved this project because it met all the conditions - just because something gets approval, is it in the best interest of Lincoln?; and they have another CARE FACILITY HOME in Lincoln to compare it to; The Harbor Senior Home in EAST Lincoln is not even a comparison. This home is not on a busy street. It is tucked away in a cul de sac. There is nothing to compare.

The Planning Commission was told that no trees will be taken down at the 3737 Calvert property. For how long does that stand???

This property at 3737 Calvert was completely remodeled by the previous owners. It is a FAMILY HOME.

Do not put this commercial business in this particular neighborhood. It will ruin its INTEGRITY, Which Lincoln cannot afford. Put it out in a soulless neighborhood without mature trees, and roots planted.

Respectfully

Michael and Katherine Keady, 3740 Calvert Street, Lincoln, NE, 402-570-7232



From: [Gary Myers](#)
To: [Council Packet](#)
Cc: [Tammy J. Ward](#); [Tom J. Beckius](#); [James M. Bowers](#); [Richard W. Meginnis](#); jraybould@lincoln.ne.gov; [Sandra J. Washington](#); [Bennie R. Shobe](#)
Subject: Annexation Proposal
Date: Monday, March 27, 2023 3:15:15 PM

Honorable Council Member,

I do not know if you will be hearing testimony at the council meeting this evening. If so, I would like to testify. I have embedded my testimony for your reference.

Thank you for your time reviewing this matter.

Lincoln City Council Members.

Please pause the proposed annexation until the known issues have been resolved and please do not vote for a proposed annexation while there are still implementation gaps that have not been addressed. We believe our request to suspend the proposed annexation until issues are resolved is reasonable.

Mr. Cary testified last week that the purpose of the proposed annexation is to protect the current 295,000 residents of the city of Lincoln by ensuring that we, the property owners of the proposed annexation area, “pay our fair share” for development around the proposed annexation area. As I testified last week, this development was not requested by or needed by the property owners, but actually came at a cost to the property owners. Using numbers available publically and estimates provided by the planning department, the property taxes generated by the annexation would represent approximately .067% of the City of Lincoln operating budget or about \$.50 per current resident of the city, while costing the property owners of the annexation area thousands of dollars each. In addition, as research by some of you has revealed, in order for just the LFR to properly protect the proposed annexation area, equipment approaching three quarters of a million dollars would need to be purchased and would incur a delay of up to two years to arrive. That is just the cost of two tanker trucks and does not include the cost of equipment capable of going off road to protect against the threat of grass fires on acreage property or the increased liability to the city assuming responsibility for fire incidents that LFR is not currently equipped to handle. Those costs also do not include the cost to

LPD or other agencies that would be expected to serve the proposed annexation area. These costs to the city would not be necessary if the area is not annexed, as the services are already in place. Southeast Rural Fire District already has tanker trucks and off road capable vehicles. The Lancaster County Sheriff already provides law enforcement protection and the property owners are perfectly capable of having our wells tested as we see fit. At \$40,000 - \$60,000 per property, it is cost prohibitive to bring in city water and sewer to replace what we already have. The result of annexation would be increased costs and liability to the city and increased costs to the property owners or a lose - lose situation.

The only scenario in which any of this makes sense is if the actual goal is for the proposed annexation area to be “developed,” turning pleasant acreages into new housing developments, commercial property and apartments, so that the city can collect exponentially more property taxes. I am sure that the planning department has calculated the number of properties that the current 92 properties could be converted to, with each new property having a tax bill similar to what is being asked of us. At the open house, held at the Pine Lake LFR station, Mr. Cary stated there is no plan for development of the annexation area; therefore, it does not make sense to incur increased costs and liability to the city to annex this area. There is plenty of currently undeveloped area south and east of the proposed annexation area that the planning department can spend their time developing and generating property tax revenue for the city, without the need to develop our peaceful, self-sufficient properties.

Again, we respectfully request that the city council pull back from the current proposal, at least until the known issues have been resolved and the property and lifestyle of the current property owners has been protected through enhanced services and ordinances adopted. The property owners have done nothing to harm the city or the residents, but have lived peacefully with the city and its residents for decades. We ask the same from you.

Thank you for your time.

Gary Myers

BUSINESS TECHNOLOGY CONSULTING

Gary@BTCSac.Com

916-761-3238

From: [Nolan Waak](#)
To: [Council Packet](#)
Subject: Lack of Response - Street Racing and Loud Cars
Date: Tuesday, March 28, 2023 12:02:14 PM

This is in regards to my original email from February 6, 2023. I will say I'm disappointed, not surprised, but disappointed that not a single council member has reached out to me regarding my concerns about traffic noise. Not a single, one including those who are up for reelection. This is unacceptable from any and all "elected" members of my community. I will remember this when I vote. Not just this time, but all future elections as this lack of care for the citizens of our community runs deeper than just the current members of the city council.

Best regards,
Nolan Waak

From: [James Brickey](#)
To: [Council Packet](#)
Subject: High Plains Gunstocks Jacob Meyer
Date: Tuesday, March 28, 2023 7:43:33 PM

I have been trying to contact High Plains Gun Stocks for a week or so with no luck. His web page says his phone is 402-560-2567. His phone mail is always full so I can't leave a message. The address for High Plains and Jacob Meyer (the owner I guess) is 4901 Druxhall Drive. His web site is very nice and has an email address of highplainsgunstocks@gmail.com. My inquires are never answered or acknowledged.

Need your help if you would please! Is High Plains Gunstocks still in business and is Jacob Meyer still in charge/owner and do you know of any way I can get in touch with him?

Thanks for at least reading my request, And if you have any info I would appreciate you letting me know.

Thank You!
Jim Brickey
jrbrick@att.net