

**DIRECTORS' MEETING
MONDAY, JULY 14, 2008
COUNTY/CITY BUILDING
ROOM 113, 11:00 A.M.**

I. MAYOR

1. Drinking Water Samples Tested for Total Coliform and E. Coli Bacteria by the Colilert® Method of Analysis.
2. NEWS RELEASE. Mayor Beutler News Conference on Thursday, July 10, 2008 at 1:00 p.m. at the County-City Building, 555 So. 10th Street to Discuss Proposed Utility Rate Increase Impacts to Proposed Revenue Increase.
3. NEWS RELEASE. Mayor Chris Beutler's Statement on Proposed L.E.S. Rate Increase.
4. NEWS RELEASE. Lancaster, Custer Counties Eligible For Disaster Aid.
5. NEWS RELEASE. Public Invited to Open House on Yankee Hill Road Water Main and Paving Projects.
6. NEWS RELEASE. Repair, Replacement Work Planned for City Trails.

II. DIRECTORS

COUNTY COMMISSIONERS

1. Letter to Rick Hoppe, Mayoral Aide, Regarding Jail Questions. (Council Members Received Copy on 07/07/08 After Formal Council Meeting)

HUMAN SERVICES

1. Expansion of "Ride For Five" Bus Program Support Letter from Kit Boesch, Administrator.

PLANNING DEPARTMENT

1. Correspondence from Debbi Barnes-Josiah with Reply from Jean Preister, Planning on Bill #08R-163, Conditioning Zoning and Development Agreement, Whitehead Oil Company, 21st and K Streets.
2. Information and Materials for Pre-Council Meeting on Monday, July 14, 2008 at 10:15 a.m. – Downtown/Antelope Valley Standards.
 - a. Information for Downtown/Antelope Valley Standards Pre-Council;
 - b. Change of Zone No. 08027;
 - c. Miscellaneous No. 08007; and
 - d. Change of Zone No. 08026.

PLANNING COMMISSION FINAL ACTION

1. Special Permit No. 08025. Planned Service Commercial: Lancaster County Agricultural Society - Lancaster Event Center - No. 84th Street and Havelock Avenue. Resolution No. PC-01124.
2. Special Permit No. 08026. Expansion of Nonstandard Single-Family Dwelling, So. 15th and C Streets. Resolution No. PC-01127.
3. Special Permit No. 1658A. Expansion of Nonstandard Single-Family Dwelling, 1529 So. 8th Street. Resolution No. PC-01126.

4. Special Permit No. 1624A. Expansion of Domiciliary Care Facility, Bickford Cottage, So. 45th Street and Old Cheney Road. Resolution No. PC-01125.

PUBLIC WORKS AND UTILITIES

1. ADVISORY. Water Main and Roadway Projects Open House. 36" Water Main in Yankee Hill Road; 56th - 84th Street, Project #803613. Yankee Hill Road Paving from 70th - 84th Streets, EO Project #801605.

WEED CONTROL

1. Combined Weed Program, City of Lincoln, June 2008 Monthly Report.

III. CITY CLERK

IV. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

1. Request to Jim Weverka, Animal Control - RE: Pit bulls outlawed in Lincoln - (RFI#89-07/09/08)
2. Correspondence from Milo Cress, No New Taxes.
3. Email from Wes Hager Regarding Problems of City Buses.
4. Email from M. H. Sorensen. No New Taxes, Possibly Help Low Income or Fixed Income People.
5. Email from Chuck Witherspoon Regarding City Employee Spending Cuts.
6. Email from Bob Fillaus. Reject Mayor's Budget, City Needs Fiscal Restraint.

V. MISCELLANEOUS

1. Kevin Johnson Email On Allowing Longer Sales and Moderately Larger Sized Fireworks to Keep People from Buying in Other States.
2. Email from Matt Wagner. No Tax Hike.
3. Email from Jodi Delozier. Not in Favor of Mayor's Proposed Tax Increase, and Councilman Cook Remember to Represent All His District.
4. Correspondence from John Krejci Regarding the New County Jail Being Proposed.
- 5a. Correspondence Through InterLinc from L. Connolly. Could the City Adopt an Equitable Way of Taxing Not Only Homeowners But Renters Who Enjoy City Services.
- 5b. Address to Reply to on Above Property Tax Question.
6. Correspondence Through InterLinc from Jim and Judi Cook. Urge Approval of Budget Calling for Tax Increase to Maintain the Quality of this City.
7. Email from Cindy Hulsebus. Stop Increasing Property Taxes.
8. Email from June Carrell. Do Approve of Proposed Tax Increase to Keep Up City Services.
9. Email from Dean and Jo Ann Auman. The \$1,000 Stimulus Money Should be Benefitting Many People Instead of Just Builders.
10. Letter with Attachments from Ron Davis Regarding StarTran and Health Issues.

VI. ADJOURNMENT



July 1, 2008

The Honorable Mayor and City Council

All of the drinking water samples were tested for Total Coliform and E. coli bacteria by the Colilert® method of analysis.

Regulatory Tests during the month of June 2008:			
Test Type	# of tests	# of positive Total Coliform samples	# of positive E.coli samples
Routine	209	1	0
Initial Repeat	3	0	0

Nonregulatory Tests during the month of June 2008 :			
Test Type	# of tests	# of positive Total Coliform samples	# of positive E.coli samples
Quantitray	20	1	0
Special Quantitray	0	0	0

Respectfully,

Sandra Irons
Nebraska Public Health Environmental Laboratory
Lab Manager

RECEIVED
JUL 7 2008
MAYOR'S OFFICE

enc.

**City of Lincoln
Total Coliform Sample Results**

Sample Number	Address	Site	Parameter	Result	Count	Sample Type	Comments	Collection Date	Collected By
P34333-1	AIR GUARD		E. COLI		0	QUANTITRAY	SPECIAL REQUEST	31-May-08	DAVE COSIER
P34333-1	AIR GUARD		TOTAL COLIFORM	cfu/100ml - meets bacteriological standards	0	QUANTITRAY	SPECIAL REQUEST	31-May-08	DAVE COSIER
P34257-1	2861 N 70 ST	8-9I	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 0.37	02-Jun-08	EILEEN THADEN
P34257-1	2861 N 70 ST	8-9I	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 0.37	02-Jun-08	EILEEN THADEN
P34257-2	3640 TOLUJALIN AVE	8-1B	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.89	02-Jun-08	EILEEN THADEN
P34257-2	3640 TOLUJALIN AVE	8-1B	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.89	02-Jun-08	EILEEN THADEN
P34257-3	4400 CORNHILSKER SHY	8-2C	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 2.07	02-Jun-08	EILEEN THADEN
P34257-3	4400 CORNHILSKER SHY	8-2C	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 2.07	02-Jun-08	EILEEN THADEN
P34257-4	5430 SEA MOUNTAIN RD	8-2B	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.90	02-Jun-08	EILEEN THADEN
P34257-4	5430 SEA MOUNTAIN RD	8-2B	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.90	02-Jun-08	EILEEN THADEN
P34257-5	1234 JUDSON ST	8-3G	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.56	02-Jun-08	EILEEN THADEN
P34257-5	1234 JUDSON ST	8-3G	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.56	02-Jun-08	EILEEN THADEN
P34257-6	5700 NW 10 ST	8-3C	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 0.60	02-Jun-08	EILEEN THADEN
P34257-6	5700 NW 10 ST	8-3C	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 0.60	02-Jun-08	EILEEN THADEN
P34257-7	1301 W BOND ST	8-3D	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.51	02-Jun-08	EILEEN THADEN
P34257-7	1301 W BOND ST	8-3D	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.51	02-Jun-08	EILEEN THADEN
P34257-8	3230 APPLE ST	8-7B	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 0.99	02-Jun-08	EILEEN THADEN
P34257-8	3230 APPLE ST	8-7B	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 0.99	02-Jun-08	EILEEN THADEN
P34257-9	901 N COTNER BLVD	8-9H	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.68	02-Jun-08	EILEEN THADEN
P34257-9	901 N COTNER BLVD	8-9H	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.68	02-Jun-08	EILEEN THADEN
P34257-10	820 S 15 ST	8-7F	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.66	02-Jun-08	EILEEN THADEN
P34257-10	820 S 15 ST	8-7F	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.66	02-Jun-08	EILEEN THADEN
P34336-1	9TH & SOUTH		E. COLI		0	QUANTITRAY	SPECIAL REQUEST	03-Jun-08	DAVID COSIER
P34336-1	9TH & SOUTH		TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	0	QUANTITRAY	SPECIAL REQUEST	03-Jun-08	DAVID COSIER
P34257-11	5045 COLBY ST	9-8A	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.43	03-Jun-08	EILEEN THADEN
P34257-11	5045 COLBY ST	9-8A	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.43	03-Jun-08	EILEEN THADEN
P34257-12	3835 HOLDREGE ST	9-8B	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.87	03-Jun-08	EILEEN THADEN
P34257-12	3835 HOLDREGE ST	9-8B	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.87	03-Jun-08	EILEEN THADEN
P34257-13	920 N 48 ST	9-8F	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.43	03-Jun-08	EILEEN THADEN
P34257-13	920 N 48 ST	9-8F	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.43	03-Jun-08	EILEEN THADEN
P34257-14	1540 N COTNER BLVD	9-8D	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.62	03-Jun-08	EILEEN THADEN
P34257-14	1540 N COTNER BLVD	9-8D	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.62	03-Jun-08	EILEEN THADEN
P34257-15	7720 VINE ST	9-9B	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.88	03-Jun-08	EILEEN THADEN
P34257-15	7720 VINE ST	9-9B	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.88	03-Jun-08	EILEEN THADEN
P34257-16	6811 O ST	9-9A	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.79	03-Jun-08	EILEEN THADEN
P34257-16	6811 O ST	9-9A	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.79	03-Jun-08	EILEEN THADEN
P34257-17	777H ST & DAVIES DR	9-10K	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.73	03-Jun-08	EILEEN THADEN
P34257-17	777H ST & DAVIES DR	9-10K	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.73	03-Jun-08	EILEEN THADEN
P34257-18	79TH ST & KINGNECK	9-10J	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.49	03-Jun-08	EILEEN THADEN
P34257-18	79TH ST & KINGNECK	9-10J	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.49	03-Jun-08	EILEEN THADEN
P34257-19	2400 S 56 ST	9-10B	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.45	03-Jun-08	EILEEN THADEN
P34257-19	2400 S 56 ST	9-10B	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.45	03-Jun-08	EILEEN THADEN
P34257-20	3939 A ST	9-11F	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 0.57	03-Jun-08	EILEEN THADEN
P34257-20	3939 A ST	9-11F	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 0.57	03-Jun-08	EILEEN THADEN
P34336-53	MAINT BLDG		E. COLI		0	QUANTITRAY	SPECIAL REQUEST	03-Jun-08	EILEEN THADEN
P34336-53	MAINT BLDG		TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	0	QUANTITRAY	SPECIAL REQUEST	03-Jun-08	EILEEN THADEN
P34336-54	SPECIAL OPERATIONS		E. COLI		1	QUANTITRAY	SPECIAL REQUEST	03-Jun-08	EILEEN THADEN
P34336-54	SPECIAL OPERATIONS		TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	0	QUANTITRAY	SPECIAL REQUEST	03-Jun-08	EILEEN THADEN
P34336-55	LABORATORY		E. COLI		0	QUANTITRAY	SPECIAL REQUEST	03-Jun-08	EILEEN THADEN
P34336-55	LABORATORY		TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	0	QUANTITRAY	SPECIAL REQUEST	03-Jun-08	EILEEN THADEN
P34335-9	9TH & SOUTH		E. COLI		0	QUANTITRAY	SPECIAL REQUEST	04-Jun-08	DAVE COSIER
P34335-9	9TH & SOUTH		TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	0	QUANTITRAY	SPECIAL REQUEST	04-Jun-08	DAVE COSIER
P34257-21	6000 HAVELOCK AVE	10-1G	E. COLI	cfu/100ml - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.80	04-Jun-08	EILEEN THADEN
P34257-21	6000 HAVELOCK AVE	10-1G	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.80	04-Jun-08	EILEEN THADEN
P34257-22	1919 S 40 ST	10-11B	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.78	04-Jun-08	EILEEN THADEN
P34257-22	1919 S 40 ST	10-11B	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.78	04-Jun-08	EILEEN THADEN
P34257-23	2510 S 48 ST	10-11C	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.60	04-Jun-08	EILEEN THADEN
P34257-23	2510 S 48 ST	10-11C	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.60	04-Jun-08	EILEEN THADEN
P34257-24	3709 S 46 ST	10-15B	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 0.43	04-Jun-08	EILEEN THADEN
P34257-24	3709 S 46 ST	10-15B	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 0.43	04-Jun-08	EILEEN THADEN
P34257-25	7151 STACY LN	10-16C	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.59	04-Jun-08	EILEEN THADEN
P34257-25	7151 STACY LN	10-16C	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.59	04-Jun-08	EILEEN THADEN
P34257-26	4900 S 92 ST	10-15C	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.39	04-Jun-08	EILEEN THADEN
P34257-26	4900 S 92 ST	10-15C	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.39	04-Jun-08	EILEEN THADEN
P34257-27	5300 OLD CHENEY RD	10-15E	E. COLI	E. coli absent	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.64	04-Jun-08	EILEEN THADEN
P34257-27	5300 OLD CHENEY RD	10-15E	TOTAL COLIFORM	Total coliform absent - meets bacteriological standards	Monthly Routine	Total Coliform CL, June 2008	Residual chlorine (ppm) 1.64	04-Jun-08	EILEEN THADEN

OR = Original Location, UP = Upstream, DN = Downstream, OT = Other Location



NEWS ADVISORY

MAYOR CHRIS BEUTLER

lincoln.ne.gov

OFFICE OF THE MAYOR

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

DATE: July 10, 2008

FOR MORE INFORMATION: Dave Norris, Citizen Information Center, 499-4818

Mayor Chris Beutler will hold a news conference at **1 p.m. today, Thursday, July 10** in the Mayor's Conference Room, second floor, County-City Building, 555 S. 10th St.

The Mayor will discuss how a proposed utility rate increase impacts his proposed revenue increase.



NEWS RELEASE

MAYOR CHRIS BEUTLER

lincoln.ne.gov

OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: July 10, 2008**FOR MORE INFORMATION:** Rick Hoppe, Aide to Mayor Beutler, 441-7511

Dave Norris, Citizen Information Center, 441-7547

MAYOR CHRIS BEUTLER'S STATEMENT ON PROPOSED L.E.S. RATE INCREASE

Representatives of the Lincoln Electric System (LES) informed me on Tuesday of this week that they intend to seek City approval for an almost 12 percent increase in the charge for electricity, adding approximately \$108 per year to the average residential bill. LES wants this change to take effect on September 1st of this year. The impact of this proposed increase to our City budget, to the individual family budget and to the budgets of all our businesses will be painful.

I simply cannot in good conscience quietly accept an increase of that magnitude in light of today's economy.

I recently presented my final budget proposal to the City Council. In announcing my budget, I told this community that I believed that I could not ask Lincoln citizens for additional revenues until we had done everything in our power to ensure we were as efficient as possible. That's why I made the hard call and cut over 130 jobs from the City budget in a little over a year. I have re-organized departments and reduced services. We have made those tough choices and hard cuts, and I owe it to this community and to those employees who lost their jobs with the city, to question the need and the scale of this huge proposed LES rate increase.

Government must be willing to sacrifice before we can ask the community to sacrifice and City government has. The Lincoln Electric System is a publicly controlled entity that has yet to demonstrate in this instance, to my satisfaction and to the community's satisfaction, their commitment to fiscal restraint. They have asked for a huge rate increase without, to my knowledge, offering any significant corresponding cuts in expenses. This is unacceptable and under the circumstances I will veto this level of rate increase without evidence of necessary budget cuts by LES.

I told the community that our 130 job cuts and department reorganizations justified a fifteen-dollar annual revenue increase. By contrast LES is asking for over \$105 more per year (seven times as much) without offering expenditure reductions in order to control their rates. As Mayor of Lincoln, I have a responsibility to my fellow citizens to ensure as much is demanded of the LES budget as the City budget.

So today, I am making two important announcements in response to the LES proposal:

First, I will not approve the 11.8 percent increase. If LES needs additional revenue, they must do as the Mayor and the City Council have done and show significant budget reductions. Only after I am satisfied that LES has made the appropriate sacrifices will I even consider accepting a rate increase approved by the LES Board.

-more-

Mayor Beutler's Statement - LES Rate Increase**July 10, 2008****Page Two**

Second, I can no longer support the proposed property tax increase. Government cannot operate in isolation from the other financial pressures faced by Lincoln families. The knowledge that other governmental entities are increasing their budgets and that LES is seeking an additional \$108 per household completely changes how I would have approached this year's budget process. I would not have asked for the \$15 annual revenue increase had I been informed of the LES plan or had been notified that this was even a possibility in the near future. Unfortunately, LES did not provide this information to me until after I submitted my budget to the Council and to the public. I am deeply disappointed in that lack of communication.

After 130 job reductions and millions of dollars in program cuts, I cannot conscientiously cut more City services to our citizens. As I have said, I will not preside over a Lincoln in decline. Our quality of life is important. It is the reason that people choose to live and work in our community. It is why we are able to attract businesses to expand or to locate in our beautiful city.

An additional \$1.5 million reduction in services – services originally proposed to be funded by increased tax revenues – is not acceptable. Police officers in schools, pools, library hours and an end to neighborhood blight are simply too important to us all to cut any deeper than we already have. We must stem the bleeding of our budget and preserve the greatness of our city.

Therefore, in light of this notification from LES, I will urge the City Council to work with me in developing a plan to withdraw the proposed one-penny property tax revenue increase and instead, utilize one-time funds to save those programs.

It is not a decision I come to lightly. I stand by my deep conviction that ending the structural imbalance between revenues and expenditures must be the ultimate solution to the City's budget crisis. Unfortunately, under the current circumstances, it will not happen this year. I must express my disappointment that once again next year we will, in all probability, be faced with a structural imbalance in our budget, albeit on a reduced scale, because we have been forced to return to the use of one time funds.

The best and most logical place for our one-time funds is the stimulation of new jobs and new businesses. I still believe that my proposed Fast Forward Fund and the Home Owners Stimulus Plan are important pieces to our economic development future. But the LES rate increase has abruptly changed the equation. The Council and I will have to work together to find a solution that still promotes job growth, but also protects your family budget.

Leadership demands recognition and acceptance of changing circumstances and different needs. In the words of Abraham Lincoln, "The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, so we must think anew, and act anew."



NEWS RELEASE

MAYOR CHRIS BEUTLER

lincoln.ne.gov

LANCASTER COUNTY EMERGENCY MANAGEMENT
575 S. 10th Street, Lincoln, NE 68508

FOR IMMEDIATE RELEASE: July 8, 2008

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

LANCASTER, CUSTER COUNTIES ELIGIBLE FOR DISASTER AID

Homeowners, business owners and renters in Lancaster and Custer County were added Monday to the counties now eligible for federal assistance following the severe storms, tornadoes and floods that began on May 22.

This brings the total number of counties eligible for disaster funds to 15. Individuals can apply if they live, work or own a business in a declared county and suffered damage from the recent storms.

To register for assistance, individuals need to call 1-800-621-FEMA (3362), TTY (800) 462-7585 or go on-line at www.fema.gov/assistance. Those who register will receive an application number. FEMA will then direct applicants to take their application number to their local recovery center. The application number will be used to track the individual's file.

“Assistance will be handled on a case-by-case basis depending on the individual's insurance coverage,” said Lancaster County Emergency Management Director Doug Ahlberg. “I urge individuals to make that phone call to inquire as to whether or not they are eligible and to allow FEMA to make that determination.”

The declared counties following the May 22 storms are Buffalo, Butler, Colfax, Custer, Dawson, Douglas, Gage, Hamilton, Jefferson, Lancaster, Kearney, Platte, Richardson, Sarpy and Saunders.

FEMA asks residents to register for assistance before going to a recovery center to help speed up the application process.



NEWS RELEASE

MAYOR CHRIS BEUTLER

lincoln.ne.gov

PUBLIC WORKS AND UTILITIES DEPARTMENT

Engineering Services, 531 Westgate Blvd., Lincoln, NE 68508, 441-7701, fax 441-8194

FOR IMMEDIATE RELEASE: July 8, 2008

FOR MORE INFORMATION: Erika Nunes, Engineering Services, 441-5675
Doug Holle, The Schemmer Associates, 488-2500

PUBLIC INVITED TO OPEN HOUSE ON YANKEE HILL ROAD WATER MAIN AND PAVING PROJECTS

The public is invited to an open house on proposed improvements to Yankee Hill Road from 5 to 6 p.m. Wednesday, July 16 at Horizons Community Church, 3200 Grainger Parkway.

The projects include the construction of a 36-inch water main along Yankee Hill Road from 56th to 84th streets and paving Yankee Hill Road from 70th to 84th streets. Both the water main and paving project are in the early design phase with construction anticipated in late 2009 or early 2010.

There will be no formal presentation at the open house, but City representatives and the design team from The Schemmer Associates will be available to discuss specific design issues and answer questions.

Citizens who have questions but are unable to attend the open house may contact Erika Nunes, Public Works and Utilities Department, at 441-5675 or Doug Holle, The Schemmer Associates, at 488-2500.

More information on City Public Works and Utilities construction projects is available on the City Web site at lincoln.ne.gov (keyword: projects).



NEWS RELEASE

MAYOR CHRIS BEUTLER

lincoln.ne.gov

PARKS AND RECREATION DEPARTMENT
2740 "A" Street, Lincoln, NE 68502, 441-7847, fax 441-8706

FOR IMMEDIATE RELEASE: July 9, 2008

FOR MORE INFORMATION: Terry Genrich, Parks and Recreation, 441-7939

REPAIR, REPLACEMENT WORK PLANNED FOR CITY TRAILS

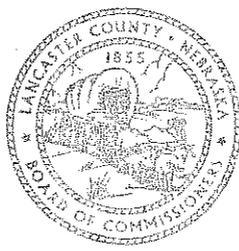
Lincoln Parks and Recreation officials today announced repair plans for two City trails that were closed due to recent heavy rains.

Repair work on the Boosalis Trail at 48th Street and Highway 2 is beginning next week. The trail has been closed due to heavy rains that have undermined the trail, creating a safety hazard. The renovation will provide extra support for the trail during future high-water conditions. The work is expected to be completed later this summer.

The Billy Wolff Trail has been closed just east of 27th Street and Capitol Parkway. The trail has been closed due to heavy rains and the high-water in Antelope Creek that has washed away the gabion baskets that supported the trail. Plans are underway for designing the work needed to replace the gabion baskets and trail, however an expected repair and completion date have not been set at this time.

Trail users are asked to use the alternate routes that are available for both sections of trail until the repairs have been made.

More information on the City trails system is available on the City Web site at lincoln.ne.gov (keyword: trails).



LANCASTER COUNTY BOARD OF COMMISSIONERS

Bernie Heier Larry Hudkins Deb Schorr Ray Stevens Bob Workman
Kerry Eagan, *Chief Administrative Officer* Gwen Thorpe, *Deputy Administrative Officer*

June 26, 2008

Rick Hoppe
Administrative Aide to the Mayor
555 So. 10th Street, Suite 208
Lincoln, NE 68508

RE: Jail Questions

Dear Rick:

Several weeks ago you posed a series of questions regarding the need for a new jail in Lancaster County. I forwarded your questions to Mike Thurber, Lancaster County Corrections Director, and asked him for assistance in researching and answering your questions. Please find enclosed with this letter a Memo from Mike providing the information you are seeking in regard to the Jail Standard Board. In addition to the information provided by Mike I would offer the following information.

Concerning whether a needs assessment has been completed to determine the incarceration needs of Lancaster County, two major studies have been conducted at the request of the Lancaster County Board. In 2001 a needs assessment and master plan was completed by Voorhis/Robertson Justice Services. The Voorhis Report provided detailed information regarding jail population trends and offered a number of recommendations for handling and reducing the jail population. Thereafter, a pre-architectural jail study was completed in 2006 by The Clark Enerson Partners in conjunction with Carlson West Povondra, Architects, and Chinn Planning, Inc. This study also conducted an extensive jail needs assessment and population projection for Lancaster County. The 2006 study concluded the best solution for our long term jail needs is the construction of a single facility at a location which can accommodate expansion well into the future. It should be noted both of these programs identified a number of correctional programs which the County should institute in conjunction with constructing a new jail. If you would like to review these studies copies are available in the County Board's office.

You also asked whether the Community Corrections program has additional capacity. During the past year Community Corrections has expanded rapidly to handle the large number of inmates being placed into its programs. I would recommend you contact Kim Etherton, Community Corrections Director, to obtain additional information regarding the programs operated by Community Corrections. There is no question regarding the cost effectiveness of the County's Community Corrections programs.

RECEIVED
JUL 07 2008
CITY COUNCIL
OFFICE

Rick Hoppe
Page 2

Lastly, you inquire as to whether inmates being held in higher security facilities might be served in less restrictive settings if more capacity existed. Unfortunately, there is a limit as to the number of inmates which can be served in a less restrictive setting, such as home arrest or minimum security. The number one concern of the County Board and the Corrections Department is public safety, and many inmates present too much of a threat to the community to be held in less secure facilities. In this regard, both the 2001 and 2006 reports provide long term projections of the number of beds which will be needed for maximum, medium, and minimum security. The new jail is being planned accordingly.

Please don't hesitate to contact me if you have any questions regarding the information we have provided.

Sincerely,



Kerry P. Eagan
Chief Administrative Officer

cc: County Board
Mayor Chris Beutler
Trish Owen
Mike Thurber, Corrections Director
Kim Etherton, Community Corrections Director

LANCASTER COUNTY CORRECTIONS DEPARTMENT

605 SOUTH TENTH STREET
LINCOLN, NE 68508
(402) 441-7530
FAX: 441-8946

MICHAEL THURBER, DIRECTOR

TO: Kerry Eagan, Chief Administrative Officer

FROM: Michael Thurber, Corrections Director

DATE: June 26, 2008

RE: General Jail Questions

M.T. RECEIVED

JUN 26 2008

LANCASTER COUNTY
BOARD

The Lancaster County Jail has been out of compliance since October 2002 for violating Chapter 1 and Chapter 15 minimal standards.

These relate to:

- 1) Multiple occupancy cells . . . as our department was double bunking inmates in single person cells.
- 2) Since the jail was overcrowded due to the double bunking of offenders, we did not have enough shower bays for the added population.
- 3) Due to overcrowding and the lack of mental health cells, the Department has used temporary holding cells for longer term housing, again another Jail Standards violation.
- 4) In 2002, we began using a recreation yard for the housing of inmates. This is a housing violation, as it does not meet square footage requirements as well as adequate toilets, hot and cold running water, and shower bays.
- 5) Lastly, we fall out of compliance for housing standards when we have more than 48 inmates in one dormitory setting i.e. . . square footage issues.

This was also the case at our Airpark facility (LCF) when we became overcrowded, we became out of compliance, due to not meeting square footage requirements for the facility.

Currently, the state of Nebraska has eight jails/correctional facilities out of compliance.

1. Valley County Jail (classification issues)
2. Box Butte County Jail (security and control issues)
3. Dakota County Jail (fire code)
4. Douglas County Youth Center (overcrowding)
5. Lancaster County Intake and Detention Facility (overcrowding)
6. Lancaster Correctional Facility (overcrowding)
7. Sarpy County Jail (overcrowding)
8. York County Jail (fire code)

Nebraska revised statutes 83-4,132 provides for the Jail Standards Board the duty to inspect and present the findings to the appropriate government body. If a facility fails an inspection, the governing body shall initiate an appropriate corrective actions within six months of the receipt of such inspection. Nebraska statute 83-4,133 and 84-4,134 goes on to further describe the actions that can take place if a facility fails to provide a corrective action.

- 1) Notify the Nebraska Department of Correctional Services that such facility is out of compliance in which case DOC can cease the reimbursement for state prisoners to that county.
- 2) Petition the District Court of which the jail resides in order to hold a hearing about the failing of a Jail Standards inspection. An order shall be rendered by the court which either:
 - 1) dismisses the petition of the Jail Standards Board,
 - 2) direct that corrective action be initiated in some form by the local governing body of the facility in question or,
 - 3) direct that the facility be closed and an appeal from the decision of the District Court may be taken to the Court of Appeals.

Lancaster County has complied with Jail Standards and did send a corrective action proposal in 2003 signed by the County Board Chair (see attached).

I know of no writs being issued by Jail Standards to Lancaster County during these past eight years.

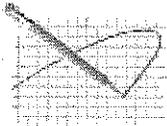
In 1981 - 1982, Jail Standards did take Thurston County Jail to court over failing a minimal Nebraska Jail Standards. Thurston County did comply with the courts and Jail Standards in order to remain open.

In 1988 - 1991, Richardson county was petitioned for closure, which ended with Richardson County complying with the Fire Marshals to remain open.

The Jail Standards Board process for bringing jails into compliance is a multi-step process designed to provide technical assistance and solutions before sanctions. A jail that is found out of compliance, has six months from the time they are found out of compliance to bring their jail back into compliance. If this is not done, the jail is required to submit a corrective action plan to the Jail Standards Board detailing the steps they will take to remedy their compliance issues. If the Jail Standards Board feels the plan is appropriate, they can accept the corrective action plan and allow that county to pursue a remedy that has been approved by the Board. At any point when the Jail Standards Board feels the county is not acting in good faith in pursuant of coming into compliance with the standards, the Board can terminate the corrective action plan and pursue closure of the out of compliance facility. This would involve requesting the Attorney General's office to file a notice requesting closure of a particular jail within the District Court. This action has been pursued in the past, each facility where closure has been pursued has chosen to take the necessary action to come into compliance prior to their closure of their facility.

The Jail Standards Board staff are not aware of any situation where Jail Standards Board has forced a jurisdiction to build a new facility. However, the Dodge County Jail was built under the District Court agreement i.e. . . . consent decree.

Attachments



Rick Hoppe/Notes
06/10/2008 10:56 PM

To keagan@lanaster.ne.gov
cc towen@lincoln.ne.gov
bcc
Subject Jail Questions

Kerry-

As we discussed. Questions below. Thanks for your help.

R.

What are the Jail Standards Board standards to which Lancaster County is out of compliance?

How many other counties are out of compliance and how do they compare with Lancaster County? How long have they been out of compliance and how long has Lancaster County?

What sanctions can be imposed by the Jail Standards Board and what is the process for imposing those standards? Is there a progressive process? Where is Lancaster County in this process and is there documentation by the Board?

Has a letter or writ been issued by the Jail Standards Board mandating that Lancaster County build the proposed facility?

Has the Jail Standards Board ever closed a jail or forced construction?

Has a needs assessment been completed that determines the numbers of prisoners in Lancaster County's various systems and how many should be served by maximum security, minimum security, or other correctional programs?

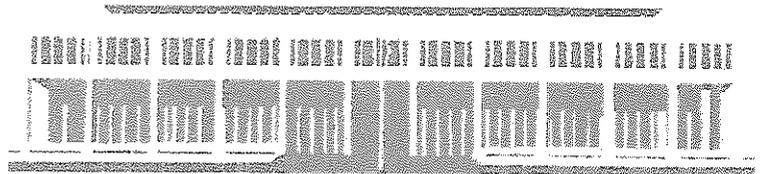
Does the Community Corrections program and other correctional alternatives have capacity?
What exploration on the cost effectiveness of expanding these programs has been completed?

Can any of the average daily inmate population in higher security facilities be served in a less restrictive setting if more capacity existed?

City of Lincoln
Lancaster County

HUMAN SERVICES DEPARTMENT

1115 "K" Street Suite 100 Lincoln, Nebraska 68508
E-mail kboesch@lancaster.ne.gov



Telephone (402) 441-4944 Fax (402) 441-6805

Date: July 3, 2008

To: Mayor Chris Beutler
Members of City Council

From: Kit Boesch *KWB*
Human Services Administrator

RE: Expansion of "Ride For Five" Bus Program

RECEIVED

JUL 10 2008

CITY COUNCIL
OFFICE

Good Morning!

I would like to strongly urge your support for the expansion of "Ride for Five". Setting the eligibility standard at 200% of the federal poverty level should most definitely increase ridership. But it does way more than that.

Requests for food, rent, and utility assistance have significantly increased in the past 6 months. One of the things we attribute this to is higher gas prices. Family dollars only go so far. If we can help the stretch those dollars by providing alternative, more cost effective transportation, we would be assisting many families in Lincoln.

As we know, providing equitable cost savings to handivan riders has cost the city dollars. It's my best guess most of the people eligible to ride the handivan are already riding it. Therefore, if you increase regular bus ridership, City revenue should only increase.

Going to 200% of poverty eligibility is a win-win. The Mayor's office and City Council win because you are responding positively to the high cost of gasoline. StarTran should see an increase in revenue as well as ridership. And finally – but very important – low and moderate income families will have alternatives for transportation they can afford.

Thank you for your consideration of Mayor Beutler's proposal.

cc: Bob Workman, County Board Chair

bc: Susan Hale, CPIN
Wayne Svoboda, Volunteer Partners



Jean L Preister/Notes
07/08/2008 02:32 PM

To dbjosiah@windstream.net
cc CouncilPacket/Notes@Notes,
mhunzeker@baylorevnen.com, Marvin S
Krout/Notes@Notes, Ray F Hill/Notes@Notes, Christy J
bcc
Subject Bill #08-85 (Change of Zone No. 08032) and #08R-163
(Conditioning Zoning and Development Agreement),
Whitehead Oil Company, 21st & K Streets 

Dear Ms. Barnes-Josiah:

Thank you for submitting your comments, which have now become part of the record on this application. A copy is being submitted to the Planning Commission and City Council members. A copy is also being provided to the applicant's representative.

Please be advised that on July 2, 2008, the Lincoln-Lancaster County Planning Commission held public hearing on this proposal and voted 7-0 to recommend approval of the change of zone request, subject to a Conditional Zoning and Development Agreement. There was no testimony in opposition at the Planning Commission hearing.

These applications are now scheduled for public hearing before the Lincoln City Council on Monday, July 21, 2008, at 1:30 p.m. The Factsheet submitted by the Planning Department to the City Council, which contains the staff report, the minutes of the Planning Commission meeting, all correspondence and any other information submitted on this application, may be accessed on the Internet at <http://www.lincoln.ne.gov/city/council/index.htm>. The Factsheet will be linked to the respective Council agenda and will be available late Thursday afternoon, July 10th. The Factsheet is also available in the Planning Department.

If you have any questions, please feel free to contact me.

--Jean Preister, Administrative Officer
City-County Planning Department
441-6365
Jean L Preister/Notes



Jean L Preister/Notes
07/08/2008 02:17 PM

To Jean L Preister/Notes@Notes
cc
Subject Fw: re application # CZ08032



<dbjosiah@windstream.net>
07/08/2008 02:11 PM

To <ceichorn@lincoln.ne.gov>
cc <cbeutler@lincoln.ne.gov>
Subject re application # CZ08032

Dear Ms. Eichorn,

First of all, that's a great website. It's really nice to be able to see all the documents associated with a zoning request. My only complaint would be that you have to click several spots before zeroing in on the correct one.

That said, I am writing in opposition to the planned development at 21st & K. I think it's a terrible idea to have a fast food restaurant/convenience store right across from the high school. First, because of the pedestrian/traffic issues. One of the documents mentioned a pedestrian light but you know that the students are just going to jaywalk across. Morning traffic (of which I am one) already has to avoid the small children (sometimes but not always with a parent) crossing towards the elementary school. This is going to be worse. I can't believe that the developers were not thinking about students as customers when they planned this.

Second, with all the stated concerns by our public officials about obesity in children, why encourage it even further by putting a large junk food store right across the street?

Third, this may theoretically fit into the city's Master Plan, but this is not really downtown. I have never seen anything in the Antelope Valley documents about how convenience stores are needed on every corner. Residential or office space makes sense, but another "Amigo's" or whatever is just not needed there.

Fourth, the small number of "new jobs" to be created is meaningless; there are "help wanted" signs in establishments all over the city (I just had lunch in one). This doesn't create new revenue, it just reappropriates/dilutes existing spending.

Finally, I remember all the fuss about the Amigo's across from the Sunken Gardens. I also don't think it's in keeping with the spirit of the Garden, but

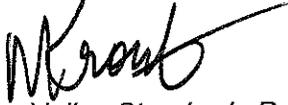
hey, it's across the street. Yes, I have eaten there anyway. This is different. In addition to the points above, does the whole aesthetic of the *new* Antelope Valley project need to devolve into just another urban strip mall?

Sincerely,
Debbi Barnes-Josiah
7215 Oxford Rd.
Lincoln, NE 68506

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MEMORANDUM

TO: City Council

FROM: Marvin Krout, Planning Director 

SUBJECT: *Information for Downtown/ Antelope Valley Standards Pre-Council*

DATE: July 10, 2008

COPIES: Mayor Beutler
Trish Owen, Mayor's Office
Dave Landis, Wynn Hjermstad, Dallas McGee, Urban Development

The Urban Development Department and Planning Department are scheduled to brief the City Council on Monday, July 14th at 10:15 a.m. on the draft "**Downtown/ Antelope Valley Standards.**" Attached are the Planning Commission staff reports and proposals that we will review on Monday:

1. Change of Zone #08027 -- text amendments to the B-4 Lincoln Center Business District in regards to the Antelope Valley area and Downtown, and related amendments to the O-1 Office District, parking and sign sections.
2. Misc. #08007 -- adopting the Lincoln Downtown Design Standards for parking and exterior features in the B-4 Lincoln Center Business District and O-1 Office District.
3. Change of Zone #08026 -- map amendments to change several properties in the Antelope Valley area from R-6, R-7 and R-8 Residential, P Public, B-3 Commercial or I-1 Industrial to B-4 Lincoln Center Business District or from I-1 Industrial and R-6 Residential to P Public in the eastern portion of the UNL City Campus, generally in the area from 17th Street to 23rd Street, from K Street to north of Vine Street.

These items will have public hearing before the Planning Commission on July 16th.

Q:\SHORT\Design\Antelope Valley Standards 2007\Council routing memo July 10 2008.wpd

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for JULY 16, 2008 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No.08027

PROPOSAL: Amendments to the B-4 Lincoln Center Business District, in regards to land uses in the Downtown and primarily regarding the “Antelope Valley area” east of 17th Street, regarding land uses, height and area regulations, and adding the requirement of compliance with the proposed Lincoln Downtown Design Standards and; associated amendments to other sections including the O-1 Office District to also add the proposed Lincoln Downtown Design Standards; to modify parking conditions in the B-4 district; and amend permitted signs in the B-4 district.

CONCLUSION: This change of zone is appropriate as one part of the Antelope Valley development in this area. These changes aid in the implementation of both the adopted Downtown Master Plan and Antelope Valley Redevelopment Plan.

RECOMMENDATION:

Approval

GENERAL INFORMATION:

ASSOCIATED APPLICATIONS: Change of Zone 08026 in the Antelope Valley area, generally from ‘K’ Street to Vine Street, from 18th to 23rd Street and; Misc 08007, new Lincoln Downtown Design Standards.

COMPREHENSIVE PLAN SPECIFICATIONS:

Strong neighborhoods, including a strong Downtown core, are one of Lincoln and Lancaster County’s great assets and the conservation of existing, and creation of new, neighborhoods is fundamental to this plan. (Comprehensive Plan, Page 6)

The community continues its commitment to a strong Downtown. A strong, vital Downtown provides a common center for all Lincoln and Lancaster County and will be a catalyst for future growth. The Comprehensive Plan acknowledges Downtown’s unique role and will guide decisions that will maintain Downtown’s vitality and enhance its contribution to the quality of life of all Lincoln and Lancaster County. (Page 6)

DOWNTOWN LINCOLN - THE HEART OF OUR COMMUNITY

Downtown Lincoln is the heart of our community, a unique common ground for all Lincoln and Lancaster County residents. At the same time, Downtown Lincoln belongs to all residents of Nebraska because “downtown” is synonymous with the University of Nebraska, state government, and the State Capitol building. This state-wide ownership has strong economic implications, and for that reason, as well as the desire to maintain downtown as the “heart” of the community, the Comprehensive Plan will ensure that downtown remains a special place. The Plan will seek to preserve vistas and institutions of cultural importance, to reinforce the district as a center of entertainment, and to promote a rich diversity of activities and uses, including housing, education, government, offices and commerce. (Page 7)

Construction and renovation within the existing urban area should be compatible with the character of the surrounding neighborhood. (Page 10)

Encourage mixed-use redevelopment, adaptive reuse, and in-fill development including residential, commercial and retail uses. These uses may develop along transit routes and provide residential opportunities for persons who do not want to or cannot drive an automobile. Promote residential development, economic development and employment opportunities throughout the City. (Page 10)

Preserve and enhance entryway corridors into Lincoln and Capitol View Corridors. (Page 11)

Encourage renovation and reuse of existing commercial centers. Infill commercial development should be compatible with the character of the area and pedestrian oriented. As additional centers are built, the City and developers should be proactive in redevelopment of existing centers to make sure that redevelopment is sensitive to the surrounding neighborhood and happens quickly to reduce vacancies. (Page 36)

STRATEGIES FOR DOWNTOWN

... Support development and implementation of the Antelope Valley project which is to provide neighborhood revitalization, transportation and transit opportunities and stormwater improvements on the east side of Downtown, the UNL campus and surrounding neighborhoods. As the Antelope Valley project progresses, ensure that new development is compatible with the existing Downtown and is pedestrian oriented. Development in the existing and expanded Downtown will maintain the urban environment, including a mix of land uses and residential types. Higher density development with parking areas at the rear of buildings or on upper floors of multi-use parking structures is encouraged. (Page 37)

Subarea Planning – The Comprehensive Plan provides broad guidance for achieving the community’s stated Vision. Putting details to the Plan takes additional

effort. One means of doing this is through the preparation of subarea plans. Subarea plans offer greater details about the intended future of an area of the community — including land uses, infrastructure requirements, and development policies and standards.

(Adopted Subarea Plans)

... Antelope Valley Major Investment Study: Amended Draft Single Package, City of Lincoln; May 1998, Updated November 1998.

...Downtown Master Plan, 2005 (Page 155)

HISTORY:

The Antelope Valley process was formalized with the adoption of the Antelope Valley “Draft Single Package” in 1998. The Downtown Master Plan update was adopted as part of the Comprehensive Plan in 2005.

In the summer of 2007, the City, Lincoln Chamber of Commerce Foundation and the Vision 2015 Group jointly funded the consulting firm Crandall Arambula to prepare recommendations and a plan for the “Research & Development Corridor.” In February 2008 Crandall Arambula’s draft master plan and proposed design standards for Downtown and Antelope Valley were presented at a public meeting. Hundreds of property owners in the area were mailed a notice of the meeting. In March, staff held six public meetings with property owners and neighborhood residents as well as making a presentation to the Realtors Association of Lincoln.

In April and May, additional meetings and discussions were held with members of the Downtown Lincoln Association (DLA), Lincoln Chamber of Commerce and Lincoln Independent Business Association (LIBA). During this period City staff discussed revisions to the draft Downtown Design Standards and a proposed Planned Unit Development (PUD). Staff also drafted a revision to the B-4 Lincoln Center Business District as an alternative to the PUD.

On May 8th, the Lincoln Chamber of Commerce passed a resolution of support in favor of the B-4 text amendment and Downtown Design Standards. (see attached resolution)

On June 4th, staff released revised Downtown Design Standards and revisions to the B-4 Lincoln Center Business District.

In June over 450 property owners and interested persons were mailed an invitation to a second public meeting that was held on June 25th. The Planning Commission was briefed on the proposals on June 18th.

ANALYSIS:

1. This change of zone is sponsored by the City as part of the Downtown/ Antelope Valley revitalization projects.
2. In general the changes to the B-4 District will:
 - a. Amends B-4 zoning district, **primarily for the “Antelope Valley” area** which is generally from 150 feet east of 17th Street to 24th Street, from K Street to R Street – does include a few minor modifications to area west of 17th Street
 - b. Zoning compliance will be reviewed at time of building permit
 - c. In Antelope Valley area, **certain uses would be prohibited**, such as auto body repair, car wash, new or used vehicle sales – new service stations are allowed only by special permit
 - d. **Minimum height** of 20 feet and revises the **maximum height** in a few areas – see map at end of report
 - e. From 16th Street to 150 feet east of 17th Street maximum height decreases from 275 feet to 150 feet, while height from 150 feet east of 17th Street to 19th St. increases from 75 to 150 feet
 - f. Eliminate lot area and lot width requirements of B-4 zoning district
 - g. **Zero foot yard setbacks** on all land – except when abutting a residential zoning district
 - h. Revise parking requirement in Antelope Valley to allow parking to be provided within 300 feet, rather than requiring it all be on site – however, there will still be no parking requirement in Downtown or between N and P Street in Antelope Valley
 - i. In Antelope Valley changes parking requirement for restaurants from 1 space per 300 square feet to 1 space per 600 square to be treated like other uses
 - j. **Pole signs and off premise signs** (billboards) would be prohibited in Antelope Valley
 - k. Add text so that new Downtown Design Standards apply to all property zoned B-4 Central Business District and O-1 Office District.

3. In regards to the parking standard, the Antelope Valley -- east of 17th Street -- is already zoned B-4 and extends to 24th Street between N and P Streets. Currently, the parking standards of the zoning ordinance states that in the B-4 district, the land west of a north-south line running midblock between 17th and 18th Streets, plus that land between N and P Streets and extending out to 24th Street, has no parking requirements. Any B-4 land today that is east of that midblock line, and either north of P Street or south of N Street, does have limited parking required: 1 space per 600 square feet of floor area for most commercial uses, 1 space per 300 square feet for restaurants, and 1 space per dwelling unit.
4. The revised proposal leaves the parking for B-4 as it is stated in the ordinance today. They would leave the zero parking requirement in place for that corridor through Antelope Valley between N and P Streets. The thought was not to make parking more restrictive for property owners along that corridor, where parking has not been required for all these many years. But any land in Antelope Valley proposed to be rezoned B4 that is north of P Street (such as the proposed Assurity site) or south of N Street would have basically the same limited parking requirement as the existing B4 in this general area -- with the exception that restaurants would have the same 1/600 requirement as other commercial uses.
5. In meetings with staff, the Downtown Lincoln Association has stated their opposition to continuing the no parking requirement between N and P Street. One concern is that the lack of adequate parking would increase the demand for public parking garages in this area. There is already limited funds for public parking, but an identified need for public parking garages in the West Haymarket area and the eastern portion of Downtown.

Prepared by:

Stephen Henrichsen, 441-6374
Principal Planner
shenrichsen@lincoln.ne.gov

July 8, 2008

APPLICANT:

Marvin Krout, Director
Planning Department
555 S. 10th Street
Lincoln, NE 68508
(402) 441-7491

CONTACT:

Stephen Henrichsen
Planning Department
555 S. 10th Street
Lincoln, NE 68508
(402) 441-6374

ORDINANCE NO. _____

1 AN ORDINANCE amending Title 27 of the Lincoln Municipal Code, the Zoning
2 Code, by adding a new Section 27.25.080 to provide that each application for a building permit
3 in the O-1 Office District shall be reviewed for compliance with the Lincoln Downtown Design
4 Standards; by amending Section 27.35.020 to add prohibited uses in the area of the B-4 Lincoln
5 Center Business District from 150 feet east of 17th Street to the eastern edge of said district;
6 amending Section 27.35.025 to delete recycling centers as a permitted conditional use in the B-4
7 district and to add vehicle body repair shops as a permitted conditional use in the area 150 feet
8 east of 17th Street to the western edge of said district; amending Section 27.35.030 to modify
9 existing provisions regarding permitted special uses in the B-4 district and to add service stations
10 as a permitted special use in the area of the B-4 district from 150 feet east of 17th Street to the
11 eastern edge of said district; amending Section 27.35.070 to modify the height and area
12 regulations in the B-4 district; adding a new Section 27.35.080 to provide that each application
13 for a building permit in the B-4 Lincoln Center Business District shall be reviewed for
14 compliance with the Lincoln Downtown Design Standards; amending Section 27.63.180 to
15 modify existing provisions regarding permitted special uses in the B-4 district and to add service
16 stations as a permitted special use in the area from 150 feet east of 17th Street to the eastern
17 edge of said district; amending Section 27.67.050 to modify special parking conditions in the B-
18 4 district; amending Section 27.69.070 to allow certain permitted signs in the B-4 district
19 beginning 150 feet east of 17th Street and continuing to the western boundary of said district and
20 to allow certain permitted signs in the B-4 district beginning 150 feet east of 17th Street and
21 continuing to the eastern boundary of said district; and repealing Sections 27.35.020, 27.35.025,
22 27.35.030, 27.35.070, 27.63.180, 27.67.050, and 27.69.070 of the Lincoln Municipal Code as
23 hitherto existing.

24 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

25 Section 1. That Chapter 27.25 of the Lincoln Municipal Code be amended by
26 adding a new section numbered 27.25.080 to read as follows:

1 **27.25.080 Lincoln Downtown Design Standards.**

2 Each application for a building permit shall be reviewed for compliance with the Lincoln
3 Downtown Design Standards.

4 Section 2. That Section 27.35.020 of the Lincoln Municipal Code be amended to
5 read as follows:

6 **27.35.020 Permitted Uses.**

7 ~~Subject to the restrictions and requirements of Section 27.35.030 below, a~~ A building or
8 premises may be used for any lawful purpose in the B-4 Lincoln Center Business District, except
9 the following:

10 (a) The refining, distillation, or manufacture of:

11 (1) Acids or alcohols, except that craft breweries as defined in the Nebraska
12 Liquor Control Act are permitted;

13 (2) Ammonia, bleach, or chlorine;

14 (3) Asphalt, tar, or products made therewith, including roofing or water-
15 proofing;

16 (4) Cement, lime, gypsum, or plaster of paris;

17 (5) Disinfectants;

18 (6) Dye-stuffs;

19 (7) Fertilizer;

20 (8) Glue, sizing, or gelatin;

21 (9) Oilcloth, linoleum, or oiled rubber goods;

22 (10) Paint, shellac, turpentine, or oils;

23 (11) Paper or pulp;

24 (12) Rubber, gutta-percha, balata, creosote, or products treated therewith;

25 (13) Shoe polish;

26 (b) The operation of:

27 (1) Bag cleaning works;

28 (2) Blast furnaces, coke ovens, smelting or ore reduction works;

29 (3) Boiler works;

30 (4) Forge;

1 (5) Rock crusher, stone mill, or quarry;

2 (6) Rolling mill;

3 (7) Yeast plant;

4 (c) Production, manufacture, distribution, or commercial storage of toxic, radioactive,
5 flammable, or explosive materials, including chemicals and gases, fireworks and explosives,
6 arsenals and magazines;

7 (d) Tanning, curing, or storage of raw hides or skins; stockyards or slaughter of
8 animals or fowl; rendering fat; distillation of bones, coal, or wood;

9 (e) Dumping or reduction of garbage, offal, or dead animals; scrap processing opera-
10 tion or salvage yard;

11 (f) Grain elevators and grain mills;

12 (g) Refining of natural gas or petroleum or their products; or bulk storage thereof not
13 located underground and in full compliance with all applicable city regulations;

14 (h) Brick, tile, pottery, or terra cotta manufacture, other than the manufacture of
15 handicrafts;

16 (i) The manufacture of acetylene, the transfer of the gas from one container to
17 another, or the storage of the gas in containers having a capacity greater than the equivalent of
18 1,000 cubic feet at standard temperature and pressure;

19 (j) And in general those uses, not limited to the above, which may be obnoxious or
20 offensive or hazardous to health by reason of odor, dust, smoke, gas, glare, radiation, or noise;

21 (k) In the area of the B-4 Lincoln Center Business District bounded by 10th Street,
22 150 feet north of "P" Street, 14th Street, and "N" Street, except as provided by Section
23 27.35.030 below:

24 (1) Parking lots, parking garages, and other off-street parking facilities;

25 (2) Uses in which the customer is served directly in the car, including but not
26 limited to drive-in restaurants, drive-in teller windows, ~~gas~~ service stations, or car washes.

27 (l) Permitted conditional uses not meeting the requirements of Section 27.35.025;

28 (m) Permitted special uses not meeting the requirements of Section 27.35.030;

29 (n) In the area of the B-4 Lincoln Center Business District from 150 feet east of 17th
30 Street to the eastern edge of the B-4 Lincoln Center Business District;

- 1 (1) Automobile and truck wash facilities;
- 2 (2) Automobile, motorcycle, truck and heavy equipment sales and repair;
- 3 (3) Mini-warehouses;
- 4 (4) Recycling center;
- 5 (5) Service stations;
- 6 (6) Sexually oriented live entertainment;
- 7 (7) Single-family dwelling on the first floor or basement;
- 8 (8) Two-family dwellings on the first floor or basement;
- 9 (9) Vehicle body repair shops;
- 10 (10) Warehouses (pre-existing warehouses may remain, regardless of time
11 unoccupied, but must cease once the building is demolished).

12 Section 3. That Section 27.35.025 of the Lincoln Municipal Code be amended to
13 read as follows:

14 **27.35.025 Permitted Conditional Uses.**

15 Notwithstanding any provision to the contrary in Section 27.35.020 above, A a building
16 or premises may be used for the following purposes in the B-4 Lincoln Center Business District
17 in conformance with the conditions prescribed herein:

- 18 ~~_____ (a) _____ Recycling center.:~~
- 19 ~~_____ (1) _____ The building area of such center shall not exceed 8,000 square feet;~~
- 20 ~~_____ (2) _____ Adequate traffic stacking shall be provided on site as determined by the~~
21 ~~city.;~~
- 22 ~~_____ (3) _____ All required parking shall be provided on site.;~~
- 23 ~~_____ (4) _____ The facility shall not be designed to receive nor shall it accept shipments~~
24 ~~by semi-trailer trucks.;~~
- 25 ~~_____ (5) _____ The construction and operation of such center shall comply with all~~
26 ~~applicable health and fire codes.;~~

27 **(b a)** Vehicle body repair shop in the area from 150 feet east of 17th Street to the
28 western edge of the B-4 Lincoln Center Business District:

- 29 (1) All salvage material including vehicles being salvaged shall be kept inside
30 a building;

1 (2) All vehicles stored outside a building shall be repaired to an operating
2 state within thirty days;

3 (3) All vehicles stored outside a building waiting repair shall be screened in
4 accordance with the screening requirements for salvage and scrap processing operations;

5 (4) The construction and operation of such shop shall comply with all applic-
6 able health and fire codes;

7 (5) Vehicle body repair shops lawfully existing on the effective date of this
8 ordinance shall have until January 1, 1987 to be brought into compliance with conditions (1), (2),
9 (3), and (4) above.

10 (e b) Early childhood care facilities:

11 (1) Such facilities shall comply with all applicable state and local early
12 childhood care requirements;

13 (2) Such facilities shall comply with all applicable building and life safety
14 code requirements.

15 (3) Such facilities shall be fenced and have play areas that comply with the
16 design standards for early childhood care facilities;

17 (4) Such facilities must receive a conditional use permit from the Department
18 of Building and Safety.

19 Section 4. That Section 27.35.030 of the Lincoln Municipal Code be amended to
20 read as follows:

21 **27.35.030 Permitted Special Uses.**

22 Notwithstanding any provision to the contrary in Section 27.35.020 above:

23 (a) A building or premises may be used for the following purposes in the B-4 Lincoln
24 Center Business District if a special permit for such use has been obtained in conformance with
25 the requirements of Chapter 27.63:

26 (1) Expansion of nonconforming use;

27 (2) Historic preservation;

28 (3) Any permitted use which exceeds the maximum height permitted in the
29 district;

30 (4) Temporary shelter for the homeless.

1 (b) A building or premises may be used for the following purposes in that portion of
2 the B-4 Lincoln Center Business District bounded by 10th Street, 150 feet north of “P” Street,
3 14th Street, and “N” Street if a special permit for such use has been obtained in conformance
4 with the requirements of ~~Chapter~~ Section 27.63.180:

5 (1) Parking lots, parking garages, and other off-street parking facilities;

6 (2) ~~Gas Service~~ stations and car washes located within a parking garage when
7 such uses are accessory to the parking garage;

8 (3) Drive-in teller windows;

9 (4) Wind energy conversion systems.

10 (c) Dwellings above the first story of a building which cannot meet the yard
11 requirements of Section 27.35.070(e).

12 (d) A building or premises may be used for the following purposes in the area of the
13 B-4 Lincoln Center Business District from 150 feet east of 17th Street to the eastern edge of the
14 B-4 Lincoln Center Business District if a special permit for such use has been obtained in
15 conformance with the requirements of Section 27.63.180:

16 (1) Service stations.

17 Section 5. That Section 27.35.070 of the Lincoln Municipal Code be amended to
18 read as follows:

19 **27.35.070 Height and Area Regulations.**

20 The ~~maximum~~ height and ~~minimum lot~~ area requirements within the B-4 Lincoln Center
21 Business District shall be as follows:

22 (a) For the area of the B-4 Lincoln Center Business District located from 150 feet
23 east of 17th Street to the eastern boundary of the B-4 Lincoln Center Business District; ~~the~~
24 ~~following maximum height and minimum lot requirements shall apply~~

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Table 27.35.070(a)

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	Lot Area (Sq.ft.)	Avg. Lot Width	Req'd Front Yard	Req'd Side Yard	Req'd Rear Yard	Height
Dwelling, single-family	4,000	—50'	0	0 (except as req'd in §27.35.070(c))	0	75'
Dwelling, two-family	2,000- per family	— 50'	0	0	0	75'
Townhouses	2,000- per family	—20'	0	0	0	75'
Dwelling, —Multiple:						
Lots containing 14,000 or less	—700 —per unit	—50'	0	0	0	75'
Lots containing more than 14,000 but less than 21,000 sq. ft.	—600 —per unit	—100'	0	0	0	75'
Lots containing 21,000 sq. ft. or more	—550 —per unit	—150'	0	0	0	75'
Other Permitted Uses	— —0	—50'	0	0	0	75'

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(1) The minimum building height shall be 20 feet adjacent to all street frontages. The minimum building height does not apply to building permits for existing buildings, and minor additions to existing buildings, less than 20 feet in height.

(2) The maximum height requirements are shown in Figure 27.35.070(a) at the end of this chapter.

(3) The front, side and rear yard setbacks are zero (0) feet. When any yard is abutting a residential district, the yard requirement shall be that of the abutting residential district. (b) For the area of the B-4 Lincoln Center Business District not included in section (a) above, the following ~~maximum~~ height and ~~minimum lot area~~ requirements shall apply:

	Lot Area (Sq.ft.)	Req'd Front Yard	Req'd Side Yard	Req'd Rear Yard	Height
Dwellings	0	0'	0' (Except as req'd in §27.35.070(e))	0' (Except as req'd in §27.35.070(e))	275'
Other Permitted Uses	0	0'	0'	0'	275'
* When any yard is abutting a residential district, the yard requirement shall be that of the abutting residential district.					
** West of 9th Street, the maximum height shall be seventy-five feet.					

(1) The maximum height requirements are shown in Figure 27.35.070(a) at the end of this chapter.

(2) The front, side and rear yard setbacks are zero (0) feet. When any yard is abutting a residential district, the yard requirement shall be that of the abutting residential district.

(c) Where a yard is not otherwise required, a yard shall be required adjacent to any wall of a building which contains windows for dwelling units. The yard requirement shall be five feet for structures under thirty-five feet in height, ten feet for structures thirty-five to fifty feet in height, and sixteen feet for those structures over fifty feet in height. Depending upon the location of said windows, this yard may be a side yard, a rear yard, or located in or on an interior courtyard. If the required yard abuts an alley, the width of the alley may be counted as part or all of the required yard. This yard need not start at the ground level but may begin on the top surface of a building.

1 (d) Accessory buildings which are attached to or located not more than ten feet from
2 the main structure shall be considered a part of the main structure and shall comply with the
3 height and front, side, and rear yard requirements of the main structure. Accessory buildings not
4 a part of the main structure may be located in any required rear yard, but such accessory
5 buildings may not occupy more than thirty percent of the required rear yard, and shall not be
6 nearer than two feet to any side or rear lot line, nor more than fifteen feet in height. Accessory
7 buildings not a part of the main structure, if located not less than sixty feet from the front lot line,
8 may extend into the required side yard though not nearer than two feet to the side lot line. A
9 garage which is entered from an alley shall not be located closer than ten feet to the alley line.

10 Section 6. That Chapter 27.35 of the Lincoln Municipal Code be amended by
11 adding a new section numbered 27.35.080 to read as follows:

12 **27.35.080 Lincoln Downtown Design Standards.**

13 Each application for a building permit shall be reviewed for compliance with the Lincoln
14 Downtown Design Standards.

15 Section 7. That Section 27.63.180 of the Lincoln Municipal Code be amended to
16 read as follows:

17 **27.63.180 Permitted Special Use: B-4 District.**

18 (a) Parking lots, storage garages, and other off-street parking facilities may be allowed
19 by special permit in that portion of the B-4 zoning district bounded by 10th Street, “P” Street,
20 14th Street, and “N” Street, in conformance with the provisions of Chapter 27.67.

21 (b) ~~Gas~~ Service stations or car washes may be permitted in that portion of the B-4 zoning
22 district bounded by 10th Street, 150 feet north of “P” Street, 14th Street, and “N” Street;
23 provided that:

24 (1) Such use is located wholly within and is accessory to a storage garage
25 permitted under (a) above;

26 (2) Such use is so located that service and access are from within said storage
27 garage;

28 ~~(3) The length and location of vehicle stacking lane or lanes for the approach~~
29 ~~side or sides and the exit side or sides of the wash operation or gas station shall be in con-~~

1 formance with the “Guidelines and Regulations for Driveway Design and Location” as adopted
2 by the City of Lincoln.

3 (c) Drive-in teller windows may be permitted in that portion of the B-4 zoning district
4 bounded by 10th Street, “P” Street, 14th Street, and “N” Street; provided, that such use is so
5 designed that all customers waiting to be served, and all auto-storage lanes, are wholly within a
6 parking lot or a storage garage. ~~The length and location of vehicle stacking lane or lanes for the~~
7 ~~approach side or sides and the exit side or sides of the drive-in teller window shall be in~~
8 ~~conformance with the Driveway Design Standards as adopted by the City of Lincoln.~~

9 (d) Service stations may be permitted in that portion of the B-4 zoning district from
10 150 feet east of 17th Street to the eastern edge of the B-4 Lincoln Center Business District.

11 Section 8. That Section 27.67.050 of the Lincoln Municipal Code be amended to
12 read as follows:

13 **27.67.050 Special Conditions; B-4 Zoning District.**

14 The following special parking requirements shall apply to the B-4 zoning district:

15 (a) In the area located from 150 feet east of 17th Street to the western boundary of
16 the B-4 District, there will be no parking requirements. There will also be no parking
17 requirements in the area located between the centerline of "N" Street and the centerline of "P"
18 Street from 150 feet east of 17th Street to the eastern boundary of B-4 District.

19 (b) In the area located from150 feet east of 17th Street ~~which is in to the eastern~~
20 boundary of the B-4 District, not specifically excepted in section (a) above, the following shall
21 be provided on site or within 300 feet of the premises:

22 (1) Industrial and manufacturing uses: Two spaces per three employees on
23 the largest shift, or one space per 1,000 square feet of floor area; provided, however, that if the
24 number of spaces required by the building ratio is greater than that required by the employee
25 ratio, the additional parking spaces need not be provided physically, but sufficient space shall be
26 reserved for future physical development.

27 (2) ~~Restaurants: One parking space per 300 square feet of floor area;~~

28 ~~—————~~(3) Other commercial, business and office uses: One parking space per 600
29 square feet;

30 (4) ~~3~~ Residential uses: One parking space per dwelling unit.

1 Section 9. That Section 27.69.070 of the Lincoln Municipal Code be amended to
2 read as follows:

3 **27.69.070 Permitted Signs; B-4 Zoning District.**

4 In the B-4 zoning district, the specific regulations are as follows:

5 (a) One on-premises pole sign or one on-premises ground sign per business per
6 frontage is permitted in the area of the B-4 zoning district beginning 150 feet east of 17th Street
7 and continuing to the western boundary of the B-4 District. Such signs shall be spaced a
8 minimum of fifty feet apart along any street frontage. In those instances where only a single
9 business is conducted on the premises and the premises has a frontage along any one street of
10 150 feet or more, the business may have a maximum of two ground or pole signs as otherwise
11 permitted in this section on any such frontage with a minimum spacing of 100 feet. If such sign
12 is located in a required front yard, it shall not exceed fifty square feet of area, and a pole sign
13 shall have a maximum height of twenty-five feet, and a ground sign shall have a maximum
14 height of eight feet. If such sign is located outside the required front yard, it may have a
15 maximum area of 100 square feet and a maximum height of thirty-five feet. If such sign is a
16 combination of the two permitted signs of over 150 feet frontage, it may be increased to 150
17 square feet in area and thirty-five feet in height; provided it is fifty feet from other premises;

18 In the area beginning 150 feet east of 17th Street and continuing to the eastern boundary
19 of the B-4 District, one ground sign per business per frontage is permitted. Such sign may have a
20 maximum area of 100 square feet. Such permitted signs shall be spaced a minimum of fifty feet
21 apart along any street frontage. If such sign is located in a required front yard, it shall not exceed
22 fifty square feet of area. In those instances where only a single business is conducted on the
23 premises and the premises has a frontage along any one street of 150 feet or more, the business
24 may have a maximum of two ground signs as otherwise permitted in this section on any such
25 frontage with a minimum spacing of 100 feet. All ground signs shall have a maximum height of
26 eight feet;

27 (b) Where more than one business is located on the premises, the on-premises signs
28 permitted in the required front yard, pursuant to (a) above, may be combined. The resultant sign
29 shall not exceed 150 square feet in area. Such pole signs shall be spaced a minimum of seventy-
30 five feet from an adjoining premises;

1 (c) On-premises wall signs on building facades, attached to the face of the building,
2 marquee, or mansard roof or substantially parallel thereto and not extending beyond or above the
3 roof or the top of the cornice wall, are permitted. The sign area of such wall signs per building
4 facade shall not exceed thirty percent coverage of the wall face, or a total of 500 square feet,
5 whichever is lesser. Any marquee sign shall not exceed three feet in height or the height or
6 vertical thickness of the marquee, whichever is greater. One pedestrian marquee sign per
7 entrance not exceeding one foot in height and six square feet in area is permitted;

8 (d) In lieu of the signs permitted in subparagraph (a) above, projecting signs may be
9 substituted. Such projecting signs may project from the building a maximum of six feet six
10 inches and shall not extend above the roof line or top of a cornice wall. Such sign may project
11 over the public right-of-way when the building is erected adjacent to the front property line.
12 Such sign shall have a minimum clearance of eight feet above the walk or grade below and a
13 maximum area of 150 square feet;

14 (e) On-premises wall signs on building facades, attached to the face of the building,
15 marquee, or mansard roof or substantially parallel thereto and not extending above or beyond the
16 roof or top of the cornice wall, are permitted. The sign area of such wall signs per building
17 facade shall not exceed thirty percent coverage of the wall face or a total of 500 square feet,
18 whichever is lesser. Marquee signs shall not exceed three feet in height or the height or vertical
19 thickness of the marquee, whichever is greater, except marquee signs for theaters, which may be
20 up to four feet in height or the height or vertical thickness of the marquee, whichever is greater.
21 Those signs extending above or below the marquee shall be erected at a ninety degree angle to
22 the building and shall project no more than six feet six inches with a minimum clearance of eight
23 feet above the walk or grade below and shall not project above the cornice wall or roof of the
24 building. All such marquee signs below the marquee shall not exceed twelve square feet in area;

25 (f) Within the area designated as an "entertainment district" in the Lincoln Center
26 Plan (a subarea plan of the Comprehensive Plan) which area, for purposes of this subsection,
27 includes that portion of the B-4 Lincoln Center District bounded by 11th Street, "R" Street, 13th
28 Street, and "Q" Street, and that portion of the B-4 Lincoln Center District bounded on the north
29 by "Q" Street and extending to mid-block between "O" Street and "P" Street on the south, to
30 mid-block between 10th Street and 11th Street on the west, and mid-block between 14th Street

1 and 15th Street on the east, on-premises signs are permitted to extend up to twenty-five feet
2 above the roof line or cornice wall of theaters;

3 (g) Off-premises signs not exceeding 700 square feet in area and forty-five feet in
4 height are permitted in the area of the B-4 zoning district beginning 150 feet east of 17th Street
5 and continuing to the western boundary of the B-4 District, subject to the provisions of Section
6 27.69.035.

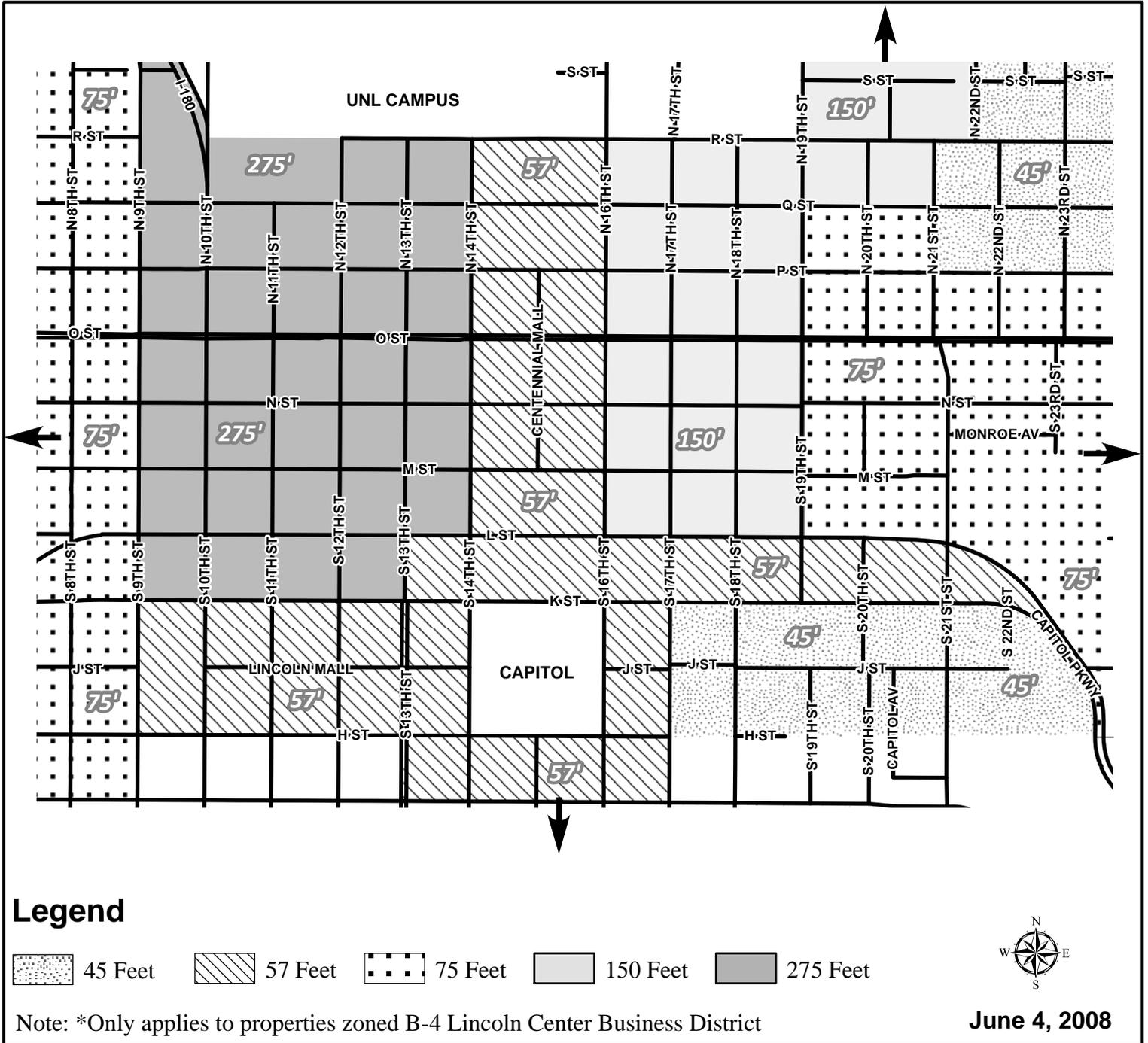
7 (h) In the area of the B-4 zoning district beginning 150 feet east of 17th Street and
8 continuing to the western boundary of the B-4 District, on-premises signs may be animated,
9 blink, flash, or simulate animation. Flags of any organization, party, or individual are permitted,
10 including flags mounted above or on roofs. The total sign area for all signs, including flags,
11 shall not exceed that allowed in Section 27.69.070(a) through (e). No single flag shall exceed
12 150 square feet.

13 Section 10. That Sections 27.35.020, 27.35.025, 27.35.030, 27.35.070,
14 27.63.180, 27.67.050, and 27.69.070 of the Lincoln Municipal Code as hitherto existing be and
15 the same are hereby repealed.

16 Section 11. That this ordinance shall take effect and be in force from and after its
17 passage and publication according to law.

Figure 27.35.070 (a)

B-4 LINCOLN CENTER BUSINESS DISTRICT HEIGHT REGULATIONS



Lincoln Chamber of Commerce Board of Directors Resolution

Whereas, Lincoln values a vibrant Downtown that retains a central role in the civic and economic life of the community, and

Whereas, the community has made a very substantial public investment in the Antelope Valley area adjacent to Downtown, and should strive both to facilitate and to maximize private development investment in the area, creating jobs, growing the tax base, and strengthening housing opportunities, and

Whereas, without minimum reasonable standards regarding land use and building materials, it is impossible to expect certain desirable businesses to invest in the area, and

Whereas, investors in quality developments Downtown and in the Antelope Valley should be able to expect that adjacent development will reflect similarly high standards, backed by reasonable, predictable, and effective regulations, and

Whereas, a condition of this resolution of support will be the City of Lincoln's commitment to streamline the development process both in this redevelopment area and in new development areas across the city,

Now therefore be it resolved, the Lincoln Chamber of Commerce Board of Directors supports the proposed updates and amendments to the downtown master plan, the addition of design standards for the Antelope Valley "Opportunities" District, and the text changes to the B-4 Lincoln Center Business District that would make high-quality development possible.

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for JULY 16, 2008 PLANNING COMMISSION MEETING

PROJECT #: Misc. No. 08007

PROPOSAL: To adopt design standards for development and redevelopment projects in the B-4 Lincoln Center District and O-1 Office District.

CONCLUSION: The proposal conforms with the Lincoln/Lancaster County Comprehensive Plan.

RECOMMENDATION:	Approval
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GENERAL INFORMATION:

ASSOCIATED APPLICATIONS: Change of Zone 08026 to change the zoning to B-4 or P Public in Antelope Valley area, and Change of Zone 08027 B-4 Lincoln Center District and related text amendments.

COMPREHENSIVE PLAN SPECIFICATIONS:

Strong neighborhoods, including a strong Downtown core, are one of Lincoln and Lancaster County's great assets and the conservation of existing, and creation of new, neighborhoods is fundamental to this plan. (Comprehensive Plan, Page 6)

The community continues its commitment to a strong Downtown. A strong, vital Downtown provides a common center for all Lincoln and Lancaster County and will be a catalyst for future growth. The Comprehensive Plan acknowledges Downtown's unique role and will guide decisions that will maintain Downtown's vitality and enhance its contribution to the quality of life of all Lincoln and Lancaster County. (Page 6)

DOWNTOWN LINCOLN - THE HEART OF OUR COMMUNITY

Downtown Lincoln is the heart of our community, a unique common ground for all Lincoln and Lancaster County residents. At the same time, Downtown Lincoln belongs to all residents of Nebraska because "downtown" is synonymous with the University of Nebraska, state government, and the State Capitol building. This state-wide ownership has strong economic implications, and for that reason, as well as the desire to maintain downtown as the "heart" of the community, the Comprehensive Plan will ensure that downtown remains a special place. The Plan will seek to preserve vistas and institutions of cultural importance, to reinforce the district as a center of entertainment, and to promote a rich diversity of activities and uses, including housing, education, government, offices and commerce. (Page 7)

Construction and renovation within the existing urban area should be compatible with the character of the surrounding neighborhood. (Page 10)

Encourage mixed-use redevelopment, adaptive reuse, and in-fill development including residential, commercial and retail uses. These uses may develop along transit routes and provide residential opportunities for persons who do not want to or cannot drive an automobile. Promote residential development, economic development and employment opportunities throughout the City. (Page 10)

Preserve and enhance entryway corridors into Lincoln and Capitol View Corridors. (Page 11)

Encourage renovation and reuse of existing commercial centers. Infill commercial development should be compatible with the character of the area and pedestrian oriented. As additional centers are built, the City and developers should be proactive in redevelopment of existing centers to make sure that redevelopment is sensitive to the surrounding neighborhood and happens quickly to reduce vacancies. (Page 36)

STRATEGIES FOR DOWNTOWN

... Support development and implementation of the Antelope Valley project which is to provide neighborhood revitalization, transportation and transit opportunities and stormwater improvements on the east side of Downtown, the UNL campus and surrounding neighborhoods. As the Antelope Valley project progresses, ensure that new development is compatible with the existing Downtown and is pedestrian oriented. Development in the existing and expanded Downtown will maintain the urban environment, including a mix of land uses and residential types. Higher density development with parking areas at the rear of buildings or on upper floors of multi-use parking structures is encouraged. (Page 37)

Subarea Planning – The Comprehensive Plan provides broad guidance for achieving the community’s stated Vision. Putting details to the Plan takes additional effort. One means of doing this is through the preparation of subarea plans. Subarea plans offer greater details about the intended future of an area of the community — including land uses, infrastructure requirements, and development policies and standards.

(Adopted Subarea Plans)

... Antelope Valley Major Investment Study: Amended Draft Single Package, City of Lincoln; May 1998, Updated November 1998.

...Downtown Master Plan, 2005 (Page 155)

HISTORY:

The Antelope Valley process was formalized with the adoption of the Antelope Valley “Draft Single Package” in 1998. The Downtown Master Plan update was adopted as part of the Comprehensive Plan in 2005.

In the summer of 2007, the City, Lincoln Chamber of Commerce Foundation and the Vision 2015 Group jointly funded the consulting firm Crandall Arambula to prepare recommendations and a plan for the “Research & Development Corridor.” In February 2008 Crandall Arambula’s draft master plan and proposed design standards for Downtown and Antelope Valley were presented at a public meeting. Hundreds of property owners in the area were mailed a notice of the meeting. In March, staff held six public meetings with property owners and neighborhood residents as well as making a presentation to the Realtors Association of Lincoln.

In April and May, additional meetings and discussions were held with members of the Downtown Lincoln Association (DLA), Lincoln Chamber of Commerce and Lincoln Independent Business Association (LIBA). During this period City staff discussed revisions to the draft Downtown Design Standards and a proposed Planned Unit Development (PUD). Staff also drafted a revision to the B-4 Lincoln Center Business District as an alternative to the PUD.

On May 8th, the Lincoln Chamber of Commerce passed a resolution of support in favor of the B-4 text amendment and Downtown Design Standards.

On June 4th, staff released revised Downtown Design Standards and revisions to the B-4 Lincoln Center Business District.

In June over 450 property owners and interested persons were mailed an invitation to a second public meeting that was held on June 25th. The Planning Commission was briefed on the proposals on June 18th.

ANALYSIS:

1. This proposal is sponsored by the City as part of the Downtown/Antelope Valley revitalization projects.
2. Both the Downtown Master Plan (2005) and Antelope Valley Redevelopment Plan (2004) recommend the adoption of design standards to implement the community’s goals for these inter-related areas. The Antelope Valley Redevelopment Plan states (p. 117): “As a general proposition, there should be a few required mandatory guidelines rather than a large volume of voluntary guidelines.”

3. Consistent with the community's emphasis on streamlining regulatory processes, the proposed Downtown Design Standards are modeled on the successful Neighborhood Design Standards, which were first adopted in 1990 and have been modified and improved over the years. Reviews would be carried out by the Planning Department parallel to the building permit review process. Safeguards and appeals are built into the process, offering four ways to "get to yes," although the hope and intention is that a vast majority of projects will be approved at the first step, by Planning staff, as is the case with Neighborhood Design Standards.
4. Applying the same design standards throughout the B-4 and O-1 districts will provide consistent treatment to "traditional Downtown" and the emerging Antelope Valley redevelopment area. B-4 and O-1 zoning districts are only found in the Downtown area. In summary, the standards propose the following:

PROCESS

1. *Exterior features of projects requiring building permits in the **B-4 or O-1 zoning districts**, does not apply to interior aspects.*
2. *Projects > 50% of a property's assessed value of existing building – meet **applicable standards as feasible**; projects <=50% must not create greater deviation from standard.*
3. *Intended that private and **public property owners will comply** with standards, though legally City, County, State, UNL and Federal agencies are not bound by local zoning.*
4. *Reviewed by staff at time of bldg. permit, with electrical, mechanical and other reviews*
5. *Planning Director may approve modification with notification of nearby owners.*
6. *Appeal of denial to Urban Design Committee or ultimately City Council, process to run at same time so that appeal is done in 30 days.*

STANDARDS

1. *Buildings west of 19th Street and on North 21st Street from O to Q Streets shall be "**built-to**" their front property lines (and on corner lots, shall be built-to both street frontages).*
2. *Pedestrian plazas and forecourts at street level shall be permitted except on P Street from 9th to 19th Street and on North 21st Street from O to Q Streets.*

3. **Parking screening** with plants, masonry walls, or masonry and wrought iron fence; Parking is set back 6 feet from the property line if plants are the sole screen; 3 feet if fence or wall is used
4. **Drive-through lanes** behind or beside buildings – prohibited between bldg & street
5. Durable **masonry materials**, such as stone, brick, pre-cast concrete, or poured-in-place concrete required as the primary exterior material facing streets on the first 20 feet above grade
6. **Prohibits certain materials**, such lap or shingle siding, concrete block; Stucco or synthetic stucco is prohibited on first 12 feet above grade (first floor)
7. **Parking structures** shall be designed with active-use ground-floor spaces between (and including) N and Q Streets, and between 9th and 19th Streets
8. Buildings shall **conceal** low pitched or nearly **flat roofs** behind parapet walls
9. Mechanical equipment on rooftops shall be screened so not visible from adjacent streets
10. Buildings shall have at least one principal entrance that faces the street.
11. Ground floors between (and including) **N and Q Streets, and between 9th and 19th Streets** and on North 21st Street from O to Q Streets, shall have **windows in at least 70%** of area between 4 feet and 9 feet above the sidewalk
12. Building in other areas have **windows in at least 50%** of the area between 4 and 9 feet above the sidewalk
13. **Garage doors and service bays** shall not open directly onto sidewalks
14. **Dumpsters, docks, transformers** shall be located & screened so not visible from sidewalks.

Note: intended as summary, see DRAFT standards for further details

6. The Urban Design Committee would have the lead role in hearing any requested appeals to decisions by Planning Department (with ultimate appeal authority reserved to City Council). Urban Design Committee recommends adoption of the Downtown Design Standards.
7. Nebraska Capitol Environs Commission or Historic Preservation Commission would hear appeals in areas where they already have jurisdiction. (No appeal would be heard by more than one design review body.) Both Commissions have reviewed the draft proposal and have contributed on their contents.

Prepared by:

Edward F. Zimmer, Ph. D.
Historic Preservation Planner
(402) 441-6360
ezimmer@lincoln.ne.gov

July 3, 2008

APPLICANT:

Marvin Krout, Director
Planning Department
555 S. 10th Street
Lincoln, NE 68508
(402) 441-7491

CONTACT:

Edward F. Zimmer, Ph. D
Planning Department
555 S. 10th Street
Lincoln, NE 68508
(402) 441-6360

LINCOLN DOWNTOWN DESIGN STANDARDS

*The Planning Department is assigned responsibility
for administration of these design standards.*

Section 1. INTRODUCTION

Downtown Lincoln is the mixed-use center of the Lincoln community, offering employment, residences, education, recreation, and retailing. From the adoption of the Original Plat in 1867 through the present day, Downtown has developed as the community's most urban, most mixed, highest density neighborhood, with wide streets and sidewalks, buildings typically constructed from property-line to property-line, and relatively few but very important urban open spaces.

The purpose of the Lincoln Downtown Design Standards (LDDS) is to recognize and build upon the substantial private and public investment in Downtown Lincoln, and to strengthen the best qualities of its urban form, while encouraging compatible new construction.

The standards focus on a limited number of basic design elements which have significant effect how Downtown looks and even more importantly, on how it is experienced by residents, employees, and visitors. These standards do not guarantee good design—only the talents and efforts of owners, designers, and builders do that. But they will ensure the best practices and discourage certain negative design features, thereby strengthening Lincoln's essential center. These standards are derived from and consistent with the Downtown Master Plan and the Antelope Valley Redevelopment Plan.

Section 2. WORK REQUIRING REVIEW

The design standards apply to exterior features of projects requiring building permits in the B-4 Lincoln Central Business District or O-1 Office District, whether the project is new construction, exterior remodeling of existing buildings, or site development that does not include buildings (such as parking lots). **Interior aspects** of new or existing construction do **NOT** require review under the Downtown Design Standards (although other building and zoning codes may apply).

In the case of minor remodeling projects (investing 50 % or less of a property's assessed valuation), the requirement is that the work not cause greater deviation from these standards—small projects may not be able to bring a property into full conformance. For major remodeling projects investing more than 50% of a property's assessed valuation, the requirement is that the project meet the applicable standards that are feasible given existing site conditions. Review of those projects should begin with a conference with staff to seek consensus on which are the applicable standards. Disagreements will be resolved according to the procedures outlined in Section 5: Waivers and Appeal.

It is intended that both private and public property owners will comply with these standards, including voluntary cooperation by the University of Nebraska at Lincoln, City of Lincoln, State of Nebraska, and U. S. Government and any other government or agency that is not legally bound by local zoning requirements.

Section 3. APPLICATION AND REVIEW PROCESS

The review process for the Lincoln Downtown Design Standards largely parallels the current review processes, and is intended to be conducted without adding time to the approval process. Therefore:

- Planning staff will review projects and administratively approve those which meet the requirements of the LDDS.
- Applicants may appeal findings of the Planning Department to a design review commission. If a project is within the Capitol Environs District or a designated landmark area (such as Haymarket), the LDDS review is conducted by the Nebraska Capitol Environs Commission (NCEC) or Historic Preservation Commission (HPC) respectively.
- Appeals of projects in other areas covered by these Standards will be reviewed by the Urban Design Committee.

All efforts are made to avoid increased time for review and approval. To facilitate this review process, the applicant will be requested to submit the following items with the normal building permit application. Those items are as follows:

1. At least one black or blue line print to scale showing the street elevations and the site plan of the proposed project. For new construction and major remodeling projects, samples or photographs of proposed major materials should be submitted. For minor remodeling projects, a photograph of the existing building and sufficient written or drawn description to understand the proposed changes may be substituted.

Section 4. GENERAL REQUIREMENTS

4.1 Site Development

- a) Downtown buildings west of 19th Street and on North 21st Street from O to Q Streets shall be "built-to" their front property lines (and on corner lots, shall be built-to both street frontages).

Pedestrian plazas and forecourts at street level shall be permitted except on P Street from 9th to 19th Street and on North 21st Street from O to Q Streets.

- b) Parking most often is provided off-site of downtown buildings. Any on-site surface parking shall be paved and must be screened with plant materials, masonry walls, or masonry and wrought iron (not chain-link) fences, or some combination thereof, to provide at least a 90% screen from grade to 3 feet above the grade. Parking shall be set back six feet from the property line if ~~any~~ plant materials are used for screening or set back three feet if fence or wall are used. Parking and driveways between a

building and the street are prohibited with two exceptions:

- hotels may offer drop-off lanes at their principal entrance;
 - and buildings situated on a parcel occupying an entire blockface may be built to one corner (fronting two streets) and may offer screened parking behind and/or beside the building.
- c) Drive-through lanes, if used, must be located behind or beside buildings, and are prohibited between the building and streets.

4.2 Building Features

a) Materials:

1. For the first 20 (twenty) feet above street level, durable masonry materials, such as stone, brick, pre-cast concrete, or poured-in-place concrete are required as the primary exterior material facing streets for downtown buildings. Ample windows are allowed but glass curtain wall structures are allowed only in the area more than 20 feet above street level. Decorative accents of durable materials including metal architectural panels, architectural tile, and metalwork are allowed. Other high-quality, durable materials as accents or primary materials may be proposed to and approved by the appropriate design review board.
2. Faux brick products (not made of fired clay) are prohibited.
3. Use of lap or shingle siding of any material including wood, vinyl, cementitious, or painted or corrugated metal is prohibited for downtown buildings.
4. Concrete block is prohibited as the primary material on street facades downtown.
5. Stucco or synthetic stucco is prohibited below the 12 (twelve) foot level but may be substituted above that level for the durable masonry materials described in section 4.2 a)1.

b) Parking structures and lots:

1. Parking structures shall be designed with usable floor area on the ground floor between parking areas and public sidewalks if built between (and including) N and Q Streets, and between 9th and 19th Streets, and along North 21st Street between O and Q Streets .
2. Any ground-floor parking in structures must be screened from public sidewalks.

3. Entrances and exits shall be located and grouped to minimize curb cuts and other interruptions of pedestrian movement on sidewalks.
 4. Parking structures shall be designed with the appearance of horizontal floors, concealing sloped floors or ramps visible on street facades. (Entrance and exit ramps may be visible through openings on the ground floor.)
- c) Roofs:
1. Downtown buildings shall conceal low pitched or nearly flat roofs behind parapet walls. Visible roofs are acceptable only on penthouses providing habitable space, set back at least 10 feet from parapet walls.
 2. Mechanical equipment on rooftops shall be architecturally screened with materials compatible with the main walls of the building so they are not visible from adjacent streets.
- d) Entrances and first floor windows:
1. Buildings shall have at least one principal entrance that faces the street. Buildings on corners or with multiple street frontages may have a single principal entrance, which must face a street.
 2. The ground floor of buildings with frontages between (and including) N and Q Streets, and between 9th and 19th Streets and on North 21st Street from O to Q Streets shall have transparent glazing in at least 70% of the area between 4 feet and 9 feet above the sidewalk, except in the case of residential buildings. Building in other areas shall have transparent glazing in at least 50% of the area between 4 and 9 feet above the sidewalk, except in the case of buildings with first-floor residential uses.
 3. Ramps for accessibility added to existing buildings, shall employ materials and design features drawn from the main structure. New buildings shall not include exterior ramps along street frontages.

4.3 Additional Pedestrian Considerations

- a) To minimize interruptions of and conflicts with the pedestrian routes across adjacent sidewalks, garage doors and service bays shall not open directly onto sidewalks, but instead shall be oriented toward alleys or toward the interior of the lot. One service bay shall be permitted facing a sidewalk if a building has no alley access.
- b) Sidewalk cafes and other high-quality amenities including street furniture are encouraged downtown and shall be designed and located to minimize interruption of clear, direct pedestrian routes.

- c) Dumpsters, service docks, transformers, and other necessary fixtures shall be located and screened so as not to be visible from adjacent sidewalks.

Section 5. WAIVERS AND APPEAL

If the proposed development plan is found by the Planning Department to be not in compliance with Lincoln Downtown Design Standards, the applicant may appeal that finding to the Director of Planning, who may waive strict conformance with the Standards upon written finding that the design enhances its setting and meets the intent of the Lincoln Downtown Design Standards. Owners of adjacent property within 200 feet shall be notified by first class mail of such a decision by the Planning Director, along with the Downtown Neighborhood Association and the Downtown Lincoln Association.

Decisions of the Planning Director may be appealed within 14 days of the mailing (postmark) date by a letter filed with the City Clerk. Appeals will be heard within 30 days by the Urban Design Committee (or if the subject property is already under the jurisdiction of the Capitol Environs Commission or Historic Preservation Commission, the board with jurisdiction will hear the appeal). The board shall review the proposed design and any additional information, and shall make a written finding upholding or reversing the administrative decision, within 30 days of the date of appeal, or the design shall be deemed approved. The board may find a design compatible that varies from specific design standards, but meets the overall intent of the Downtown Design Standards. If the board upholds an administrative finding that a design is not compatible, the board may recommend changes to the proposed building permit application in order to meet the intent and purpose of the Downtown Design Standards.

As soon as an appeal is received, it will concurrently be entered on the agenda of the City Council on the first available date 30 days after the date of receipt of the appeal. Adverse findings and actions of the Urban Design Committee, the Historic Preservation Commission, or the Nebraska Capitol Environs Commission (unless accepted by the applicant) shall be reviewed by the City Council, which shall consider the design board's recommendations but is not bound by them in deciding whether to modify or waive any of the Downtown Design Standards. If the Council approves a project, it shall be deemed to be consistent with the standards for purposes of issuing a building permit. Should Council affirm changes recommended by staff or Urban Design Committee, the Historic Preservation Commission, or the Nebraska Capitol Environs, the applicant shall make such changes prior to resubmitting the building permit application.

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LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for JULY 16, 2008 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No.08026

PROPOSAL: From P Public Use, I-1 Industrial, B-3 Commercial and R-6, R-7 and R-8 Residential to B-4 Lincoln Center Business District and from I-1 Industrial and R-6 Residential to P Public Use District in the Antelope Valley area

LOCATION: Generally from 'K' Street to Vine Street, from 17th to 23rd Street

EXISTING ZONING: P Public Use, I-1 Industrial, B-3 Commercial and R-6, R-7 and R-8 Residential

CONCLUSION: This change of zone is appropriate as one part of the Antelope Valley development in this area. As the road, floodplain and revitalization project progresses, the land uses in this area will change. This application with the accompanying design standards in Misc. 08007 and text amendments to the B-4 District in Change of Zone 08027 will implement the vision for the Antelope Valley area. The map revisions also includes changes on the eastern edge of the University of Nebraska -Lincoln (UNL) campus to P Public zoning to better reflect the current and future campus boundaries.

RECOMMENDATION:

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION:

R-6 to P: Lots 1-24, Block 1, and the vacated east-west alley adjacent thereto; Lots 1-24, Block 2, and the vacated east-west alley adjacent thereto; Lots 1-9 and Lots 16-24, Block 3, Lincoln Driving Park Company's 2nd Subdivision and the vacated east-west alley adjacent thereto; Lot 10, Block 3, Lincoln Driving Park Company's 2nd Subdivision and the north ½ of the vacated east-west alley adjacent thereto; all of vacated T and U Streets adjacent to Blocks 1, 2, and 3, Lincoln Driving Park Company's 2nd Subdivision; Lots 10-19, Block 7, Vine Street Addition, and the vacated alleys adjacent thereto; those portions of Lots 7 and 8, A. K. Griffith's 2nd Addition not currently zoned P Public Use District and the vacated north-south alley adjacent thereto; and Lots 1-4, Water's 2nd Subdivision and the north ½ of the vacated east-west alley adjacent thereto; all located in the N ½ and SW 1/4 of Section 24-10-6.

R-6 to B-4: Lots 1 and 2 and the vacated east-west alley adjacent thereto and Lots 4, 7, 8, and 9, Block 6; Lots 3-12, Block 7; Lots 1 and 2, Block 8; Lots 1-6, Block 14; Lots 2-6 and Lots 8-12, Block 15; all located in Kinney's "O" Street Addition; Lots 5-32, Block 7, Lincoln Driving Park Company's 1st Subdivision; Lots 1-4, Lots 20-24 and the east ½ of Lot 19, Block 4, Lincoln Driving Park Company's 2nd Subdivision; Outlot C, Malone 1st Addition and the vacated east-west alley adjacent thereto; and Lots A, B, C, and D, Weinberger's Subdivision; all located in the S1/2 of Section 24-10-6.

Lots 1-6, Block 6, Avondale Addition; Lots 46-48, Boggs and Holmes Subdivision; Lot 5 except the north 35.02 feet of the west 12 feet thereof, Cariotto Estates; Lots 1-6, Cadwallader's Subdivision of Outlot 2, McMurtry's Addition, and the vacated east-west alley adjacent thereto; Lots 1-4 and Lots 9-12, Block 9, Lavender's Addition and the vacated east-west alley adjacent thereto; Lots 1-4 and Lots 10-12, Block 12, Lavender's Addition; Lots 1-9 and Lots 11-14, Block 2, McMurtry's Subdivision, and the vacated east-west alley adjacent to said Lots 1-6; and vacated S. 22nd Street between K and L Street; all located in the N ½ of Section 25-10-6.

R-7 to B-4: Lots 1-4 and the north 35.02 feet of the west 12 feet of Lot 5, Cariotto Estates; Lots 5-8, Block 9, Lavender's Addition and the vacated east-west alley adjacent thereto; Lots 3-12 and the west 25 feet of Lot 2, Block 10, Lavender's Addition; Lots 1-3 and Lots 9-12, Block 11; Lots 5 and 6, Block 12, Lavender's Addition; and Lots A, B, C and D, Ostran's Subdivision; all located in the NW 1/4 of Section 25-10-6.

R-8 to B-4: Lots A, B, C and D, Hooper's Subdivision; and Lots 9-11, Block 19, Lavender's Addition; all located in the NW 1/4 of Section 25-10-6.

I-1 to P: Lot 55 I.T; Lots 13-15, Block 3, Lincoln Driving Park Company's 2nd Subdivision, and the S ½ of the vacated east-west alley adjacent thereto; Lots 3, 4, 9 and 10, Locust Subdivision; and that portion of Lots 5, 7, and 8, Locust Subdivision, Lot 24, J. G. Miller's Subdivision, Lots 15-28, Salisbury Addition and the vacated N. 18th Street adjacent to said Salisbury Addition which are not currently zoned P Public Use District; all located in the W ½ of Section 24-10-6.

I-1 to B-4: Lots 5-18 and the west 25' of Lot 19, Block 4, Lincoln Driving Park Company's 2nd Subdivision, located in the SW 1/4 of Section 24-10-6.

P to B-4: Lots 4-6, Block 12, Kinney's "O" Street Addition, located in the SW 1/4 of Section 24-10-6.

B-3 to B-4: Lots 5 and 6, Block 6; Lots 1 and 2, Block 7; and Lot 1, Block 15, Kinney's "O" Street Addition, located in the SE 1/4 of Section 24-10-6.

EXISTING LAND USE: A mix of industrial, residential and commercial land uses generally south of R Street with UNL campus uses generally between R and Vine Street.

ASSOCIATED APPLICATIONS: Change of Zone 08027 B-4 Lincoln Center District and related text amendments; Misc 08007, new Lincoln Downtown Design Standards.

COMPREHENSIVE PLAN SPECIFICATIONS:

Strong neighborhoods, including a strong Downtown core, are one of Lincoln and Lancaster County's great assets and the conservation of existing, and creation of new, neighborhoods is fundamental to this plan. (Comprehensive Plan, Page 6)

The community continues its commitment to a strong Downtown. A strong, vital Downtown provides a common center for all Lincoln and Lancaster County and will be a catalyst for future growth. The Comprehensive Plan acknowledges Downtown's unique role and will guide decisions that will maintain Downtown's vitality and enhance its contribution to the quality of life of all Lincoln and Lancaster County. (Page 6)

DOWNTOWN LINCOLN - THE HEART OF OUR COMMUNITY

Downtown Lincoln is the heart of our community, a unique common ground for all Lincoln and Lancaster County residents. At the same time, Downtown Lincoln belongs to all residents of Nebraska because "downtown" is synonymous with the University of Nebraska, state government, and the State Capitol building. This state-wide ownership has strong economic implications, and for that reason, as well as the desire to maintain downtown as the "heart" of the community, the Comprehensive Plan will ensure that downtown remains a special place. The Plan will seek to preserve vistas and institutions of cultural importance, to reinforce the district as a center of entertainment, and to promote a rich diversity of activities and uses, including housing, education, government, offices and commerce. (Page 7)

Construction and renovation within the existing urban area should be compatible with the character of the surrounding neighborhood. (Page 10)

Encourage mixed-use redevelopment, adaptive reuse, and in-fill development including residential, commercial and retail uses. These uses may develop along transit routes and provide residential opportunities for persons who do not want to or cannot drive an automobile. Promote residential development, economic development and employment opportunities throughout the City. (Page 10)

Preserve and enhance entryway corridors into Lincoln and Capitol View Corridors. (Page 11)

Encourage renovation and reuse of existing commercial centers. Infill commercial development should be compatible with the character of the area and pedestrian oriented. As additional centers are built, the City and developers should be proactive in redevelopment of existing centers to make sure that redevelopment is sensitive to the surrounding neighborhood and happens quickly to reduce vacancies. (Page 36)

STRATEGIES FOR DOWNTOWN

... Support development and implementation of the Antelope Valley project which is to provide neighborhood revitalization, transportation and transit opportunities and stormwater improvements on the east side of Downtown, the UNL campus and surrounding neighborhoods. As the Antelope Valley project progresses, ensure that new development is compatible with the existing Downtown and is pedestrian oriented. Development in the existing and expanded Downtown will maintain the urban environment, including a mix of land uses and residential types. Higher density development with parking areas at the rear of buildings or on upper floors of multi-use parking structures is encouraged. (Page 37)

Subarea Planning – The Comprehensive Plan provides broad guidance for achieving the community’s stated Vision. Putting details to the Plan takes additional effort. One means of doing this is through the preparation of subarea plans. Subarea plans offer greater details about the intended future of an area of the community — including land uses, infrastructure requirements, and development policies and standards.

(Adopted Subarea Plans)

... Antelope Valley Major Investment Study: Amended Draft Single Package, City of Lincoln; May 1998, Updated November 1998.

...Downtown Master Plan, 2005 (Page 155)

HISTORY:

The Antelope Valley process was formalized with the adoption of the Antelope Valley “Draft Single Package” in 1998. The Downtown Master Plan update was adopted as part of the Comprehensive Plan in 2005.

In the summer of 2007, the City, Lincoln Chamber of Commerce Foundation and the Vision 2015 Group jointly funded the consulting firm Crandall Arambula to prepare recommendations and a plan for the “Research & Development Corridor.” In February 2008 Crandall Arambula’s draft master plan and proposed design standards for Downtown and Antelope Valley were presented at a public meeting. Hundreds of property owners in the area were mailed a notice of the meeting. In March, staff held six public meetings with property owners and neighborhood residents as well as making a presentation to the Realtors Association of Lincoln.

In April and May, additional meetings and discussions were held with members of the Downtown Lincoln Association (DLA), Lincoln Chamber of Commerce and Lincoln Independent Business Association (LIBA). During this period City staff discussed revisions to the draft Downtown Design Standards and a proposed Planned Unit Development (PUD). Staff also drafted a revision to the B-4 Lincoln Center Business District as an alternative to the PUD.

On May 8th, the Lincoln Chamber of Commerce passed a resolution of support in favor of the B-4 text amendment and Downtown Design Standards.

On June 4th, staff released revised Downtown Design Standards and revisions to the B-4 Lincoln Center Business District.

In June over 450 property owners and interested persons were mailed an invitation to a second public meeting that was held on June 25th. The Planning Commission was briefed on the proposals on June 18th.

ANALYSIS:

1. This change of zone is sponsored by the City as part of the Downtown/ Antelope Valley revitalization projects.
2. The southern area of the change of zone is generally from 17th to 21st Street, from K to N Street. This area is currently zoned R-6, R-7 or R-8 Residential and is either occupied by scattered houses, parking lots or is vacant. This area is a primary entrance into Downtown Lincoln and is adjacent to the Capitol Environs District. This area is proposed for B-4 zoning. The projected future land use for this area is primarily low rise office with a mix of commercial and residential uses.
3. Between 19th and 22nd Street from P to S Street is land currently zoned R-6 Residential, B-3 Commercial or I-1 Industrial which is also proposed for B-4 zoning. This includes the blocks between 21st and 22nd Street from P to R Streets which will be part of the future Union Plaza city park. Assurity Insurance Company is also considering the area between 19th and 21st Street, north of Q Street for their future corporate offices. (See Comp Plan Conformance 08016)
4. The City fire station at 18th and Q Street is also included with a change from 'P' Public to B-4. This change was included in case the City at some point relocates the fire station and sells the property.
5. The last area is mostly owned by UNL from R Street to north of Vine Street and east of 18th Street. The properties have a mix of I-1 Industrial and R-6 Residential zoning. This land is primarily currently occupied by UNL parking lots, athletic fields, tennis courts, UNL Beadle Center and the southern end of the

former Cushman plant now owned by UNL. The UNL campus is zoned 'P' Public and this proposal would extend that zoning. UNL has their own design standards for new construction. (Note: a final plat is underway to reflect the right-of-way for the new Antelope Valley Parkway. Once this plat is complete additional zoning adjustments for UNL property may be appropriate.)

Prepared by:

Stephen Henrichsen, 441-6374
Principal Planner
shenrichsen@lincoln.ne.gov

July 1, 2008

APPLICANT:

Marvin Krout, Director
Planning Department
555 S. 10th Street
Lincoln, NE 68508
(402) 441-7491

CONTACT:

Stephen Henrichsen
Planning Department
555 S. 10th Street
Lincoln, NE 68508
(402) 441-6374

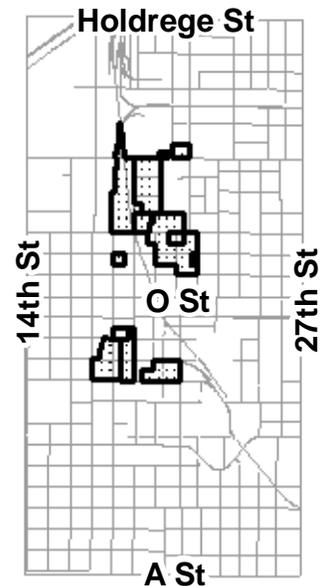
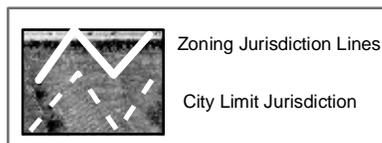


**Change of Zone #08026
(Portion in Section 25-10-06)
Antelope Valley
Zoning:**

2007 aerial

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

Two Square Miles
Sec. 24 T10N R06E
Sec. 25 T10N R06E





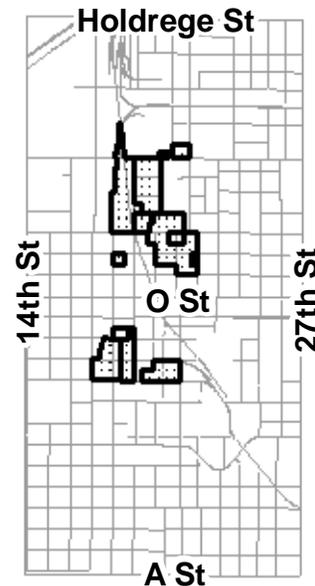
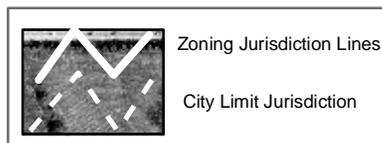
**Change of Zone #08026
(Portion in Section 24-10-06)
Antelope Valley**

2007 aerial

Zoning:

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

Two Square Miles
Sec. 24 T10N R06E
Sec. 25 T10N R06E



****CORRECTED 7/07/08****
PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
Lincoln City Council

FROM : Jean Preister, Planning 

DATE : June 20, 2008

RE : **Special Permit No. 08025**
(Planned Service Commercial: Lancaster County Agricultural Society -
Lancaster Event Center - N. 84th Street and Havelock Avenue)
Resolution No. PC-01124

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, June 18, 2008:

Motion made by Taylor, seconded by Cornelius, to approve **Special Permit No. 08025**, with conditions, as amended, requested by the Lancaster County Agricultural Society, Inc., for a planned service commercial development consisting of 150 hotel rooms, 8,000 sq. ft. of restaurants, and 40,000 sq. ft. of retail, on property generally located at N. 84th Street and Havelock Avenue. Motion for conditional approval, with one amendment, carried 8-0: Cornelius, Taylor, Francis, Sunderman, Partington, Larson, Esseks and Carroll voting 'yes' (Gaylor Baird absent).

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Please note: On June 18, 2008, the Planning Commission also voted 8-0 to recommend approval of the associated Comprehensive Plan Amendment No. 08014, Annexation No. 08004 and Change of Zone No. 08025 from AG to H-4 General Commercial, all subject to a Memorandum of Understanding between the City of Lincoln and the Lancaster County Agricultural Society, which are tentatively scheduled for public hearing before the City Council on Monday, July 14, 2008 ****July 21, 2008****, at 1:30 p.m.

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Jeremy Williams, Design Associates, 1609 N Street, 68508
Lancaster County Agricultural Society, 4100 N. 84th Street, 68507
Alan Wood, Erickson & Sederstrom, 301 S. 13th, Suite 400, 68508

PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
Lincoln City Council

FROM : Jean Preister, Planning 

DATE : July 9, 2008

RE : **Special Permit No. 08026**
(Expansion of nonstandard single-family dwelling - S. 15th & C Streets)
Resolution No. PC-01127

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, July 2, 2008:

Motion made by Larson, seconded by Sunderman, to approve **Special Permit No. 08026**, with conditions, requested by Robert Lane, for authority to expand a nonstandard single-family dwelling into the required rear yard setback in order to expand and reconstruct a porch roof onto the back side of the existing residence, on property generally located at South 15th Street and C Street.

Motion for conditional approval carried 8-0: Cornelius, Taylor, Francis, Sunderman, Partington, Larson, Esseks and Carroll voting 'yes' (Gaylor Baird absent).

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Opus 2 Construction, LLC, 17209 Jessica Lane, Gretna, NE 68028
Matt Johnson, 1946 D Street, 68502
Robert Lane, 1445 C Street, 68502
James Garver, Near South N.A., 815 Elmwood Ave., 68510
Near South N.A., P.O. Box 80143, 68501
Scott Baird, Near South N.A., 1932 S. 24th, 68502
Bob Beecham, 2925 O'Reilly Drive, 68502

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RESOLUTION NO. PC- 01127

SPECIAL PERMIT NO. 08026

1 WHEREAS, Robert Lane has submitted an application designated as
2 Special Permit No. 08026 for authority to expand a nonstandard single-family dwelling
3 into the required rear yard setback in order to expand and reconstruct a porch roof onto
4 the back side of the existing residence on property located at S. 15th Street and C
5 Street, and legally described as:

6 The north 87 1/2 feet of Lot 1, Block 216, Original Lincoln,
7 Lancaster County, Nebraska;

8 WHEREAS, the Lincoln City-Lancaster County Planning Commission has
9 held a public hearing on said application; and

10 WHEREAS, the community as a whole, the surrounding neighborhood,
11 and the real property adjacent to the area included within the site plan for this
12 expansion of a non-standard single-family dwelling will not be adversely affected by
13 granting such a permit; and

14 WHEREAS, said site plan together with the terms and conditions
15 hereinafter set forth are consistent with the comprehensive plan of the City of Lincoln
16 and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the
17 public health, safety, and general welfare.

1 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster
2 County Planning Commission of Lincoln, Nebraska:

3 That the application of Robert Lane, hereinafter referred to as "Permittee",
4 to expand a nonstandard single-family dwelling into the required rear yard in order to
5 expand and reconstruct a porch roof onto the back side of the existing residence on
6 property described above, be and the same is hereby granted under the provisions of
7 Section 27.63.540 of the Lincoln Municipal Code upon condition that construction of
8 said addition be in substantial compliance with said application, the site plan, and the
9 following additional express terms, conditions, and requirements:

10 1. This permit approves the expansion of a nonstandard single-family
11 dwelling into the required rear yard setback along the south side of the property known
12 as 1445 C Street and legally described as the north 87 1/2 feet of Lot 1, Block 216,
13 Original Lincoln, Lancaster County, Nebraska, to allow for the expansion of an existing
14 porch roof.

15 2. Before receiving building permits:

16 a. The Permittee shall cause to be prepared and submitted to
17 the Planning Department a revised and reproducible final
18 site plan including five copies.

19 b. The Permittee shall provide documentation from the
20 Register of Deeds that the letter of acceptance as required
21 by the approval of the special permit has been recorded.

22 c. The expansion shall not extend further into the required rear
23 yard along the south side of the property than the furthest
24 extension of the existing porch.

25 d. The expansion shall meet all other yard and height
26 requirements of the zoning district.

1 e. The use of the main structure shall remain a single- or two-
2 family dwelling.

3 3. Before occupying the addition all development and construction
4 must substantially comply with the approved plans.

5 4. The physical location of all setbacks and yards, buildings, parking
6 and circulation elements, and similar matters must be in substantial compliance with the
7 location of said items as shown on the approved site plan.

8 5. The terms, conditions, and requirements of this resolution shall run
9 with the land and be binding upon the Permittee, his successors and assigns.

10 6. The Permittee shall sign and return the letter of acceptance to the
11 City Clerk within 60 days following the approval of the special permit, provided,
12 however, said 60-day period may be extended up to six months by administrative
13 amendment. The clerk shall file a copy of the resolution approving the special permit
14 and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in
15 advance by the Permittee.

16 The foregoing Resolution was approved by the Lincoln City-Lancaster
17 County Planning Commission on this 2nd day of July, 2008.

ATTEST:

Chair

Approved as to Form & Legality:


Chief Assistant City Attorney



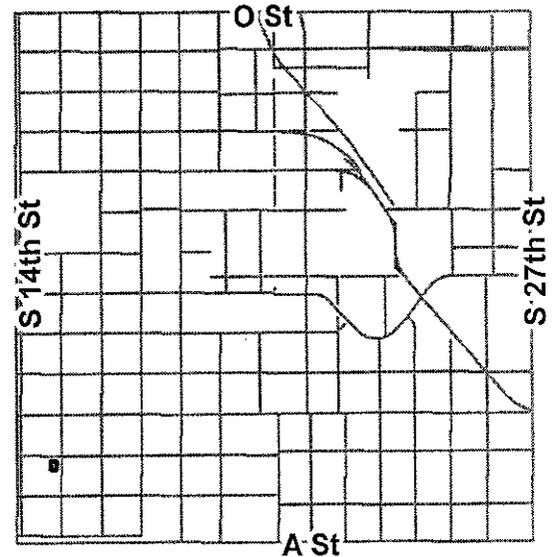
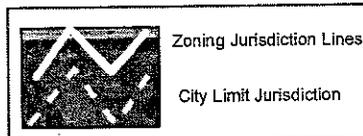
2007 aerial

Special Permit #08026
S 15th St & C St

Zoning:

One Square Mile
 Sec. 25 T10N R06E

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



PLANNING COMMISSION FINAL ACTION
NOTIFICATION

TO : Mayor Chris Beutler
Lincoln City Council

FROM : Jean Preister, Planning 

DATE : July 9, 2008

RE : **Special Permit No. 1658A**
(Expansion of nonstandard single-family dwelling - 1529 S. 8th Street)
Resolution No. PC-01126

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, July 2, 2008:

Motion made by Larson, seconded by Sunderman, to approve **Special Permit No. 1658A**, with conditions, requested by Nathan and Catherine Habel, for authority to expand a nonstandard single-family dwelling into the required rear yard setback in order to construct an attached garage on the side of the existing residence, on property located at 1529 S. 8th Street.

Motion for conditional approval carried 8-0: Cornelius, Taylor, Francis, Sunderman, Partington, Larson, Esseks and Carroll voting 'yes' (Gaylor Baird absent).

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Nathan and Catherine Habel, 1529 S. 8th Street, 68502
Danny Walker, South Salt Creek Community Org., 427 E Street, 68508
P.C. Meza, South Salt Creek Community Org., 536 C Street, 68502
Gary Irvin, South Salt Creek Neighborhood, 645 D Street, 68502

RESOLUTION NO. PC- 01126

SPECIAL PERMIT NO. 1658A

1 WHEREAS, Nathan and Catherine Habel have submitted an application
2 designated as Special Permit No. 1658A for authority to expand a nonstandard single-
3 family dwelling into the required rear yard setback in order to construct an attached
4 garage on the side of the existing residence on property located at 1529 S. 8th Street,
5 and legally described as:

6 The north half of Lot 12, except the south 2.45 feet thereof,
7 Block 2, South Lincoln, Lincoln, Lancaster County,
8 Nebraska;

9 WHEREAS, the Lincoln City-Lancaster County Planning Commission has
10 held a public hearing on said application; and

11 WHEREAS, the community as a whole, the surrounding neighborhood,
12 and the real property adjacent to the area included within the site plan for this
13 expansion of a non-standard single-family dwelling will not be adversely affected by
14 granting such a permit; and

15 WHEREAS, said site plan together with the terms and conditions
16 hereinafter set forth are consistent with the comprehensive plan of the City of Lincoln
17 and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the
18 public health, safety, and general welfare.

1 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster
2 County Planning Commission of Lincoln, Nebraska:

3 That the application of Nathan and Catherine Habel, hereinafter referred
4 to as "Permittee", to expand a nonstandard single-family dwelling into the required rear
5 yard in order to construct an attached garage on the side of the existing residence on
6 the property described above, be and the same is hereby granted under the provisions
7 of Section 27.63.540 of the Lincoln Municipal Code upon condition that construction of
8 said addition be in substantial compliance with said application, the site plan, and the
9 following additional express terms, conditions, and requirements:

10 1. This permit approves the construction of an attached garage to a
11 single-family dwelling into the required rear yard setback on the property known as
12 1529 S. 8th Street and legally described as the north half of Lot 12, except the south
13 2.45 feet thereof, Block 2, South Lincoln, Lincoln, Lancaster County, Nebraska, to
14 allow for the construction of an attached garage.

15 2. Before receiving building permits:

16 a. The Permittee shall cause to be prepared and submitted to
17 the Planning Department a revised and reproducible final
18 site plan including five copies.

19 b. The Permittee shall provide documentation from the
20 Register of Deeds that the letter of acceptance as required
21 by the approval of the special permit has been recorded.

22 3. Before occupying the addition all development and construction
23 must substantially comply with the approved plans.

1 4. The physical location of all setbacks and yards, buildings, parking
2 and circulation elements, and similar matters must be in substantial compliance with the
3 location of said items as shown on the approved site plan.

4 5. The terms, conditions, and requirements of this resolution shall run
5 with the land and be binding upon the Permittee, their successors and assigns.

6 6. The Permittee shall sign and return the letter of acceptance to the
7 City Clerk within 60 days following the approval of the special permit, provided,
8 however, said 60-day period may be extended up to six months by administrative
9 amendment. The clerk shall file a copy of the resolution approving the special permit
10 and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in
11 advance by the Permittee.

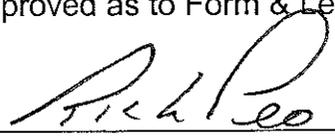
12 7. The site plan as approved with this resolution voids and
13 supersedes all previously approved site plans, however, the terms and conditions of all
14 resolutions/ordinances approving previous permits shall remain in force and effect
15 except as specifically amended by this resolution.

16 The foregoing Resolution was approved by the Lincoln City-Lancaster
17 County Planning Commission on this 2nd day of July, 2008.

ATTEST:


Chair

Approved as to Form & Legality:


Chief Assistant City Attorney



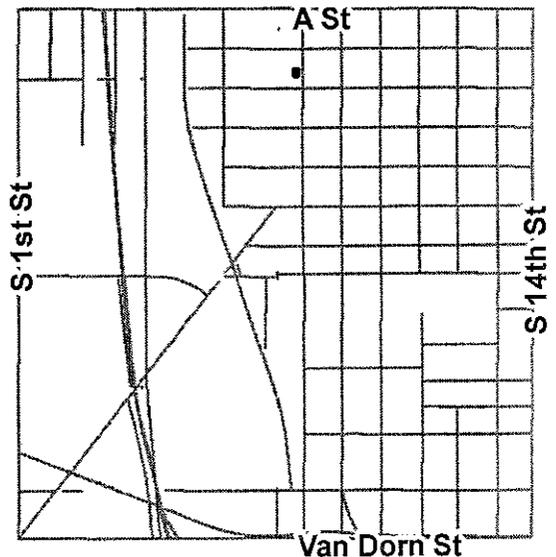
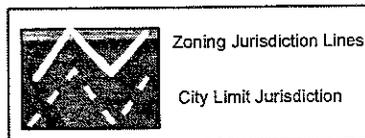
2007 aerial

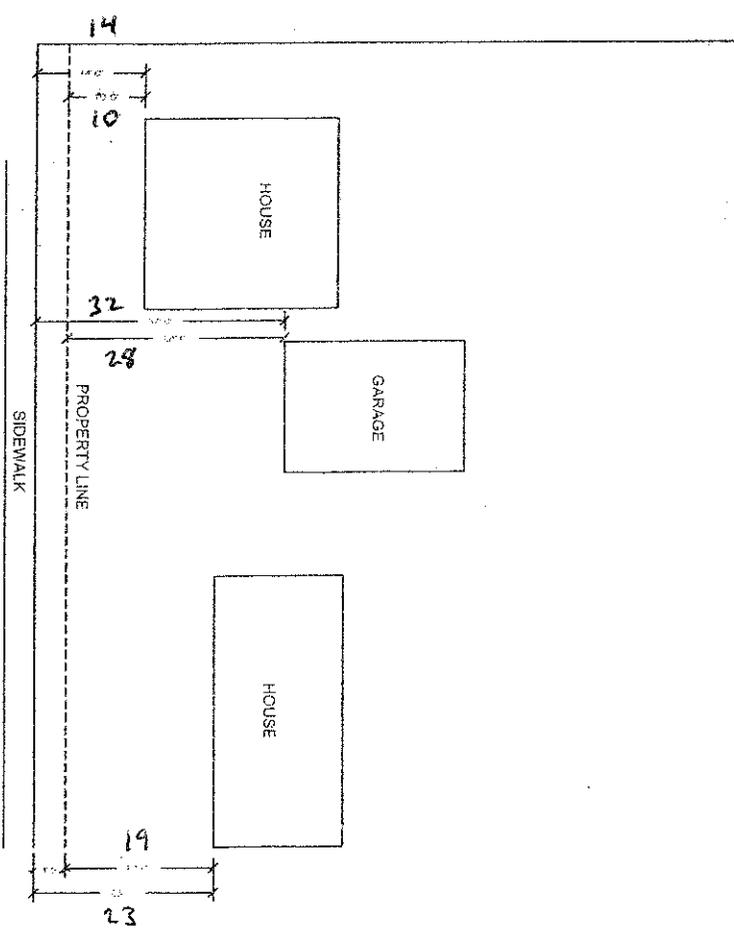
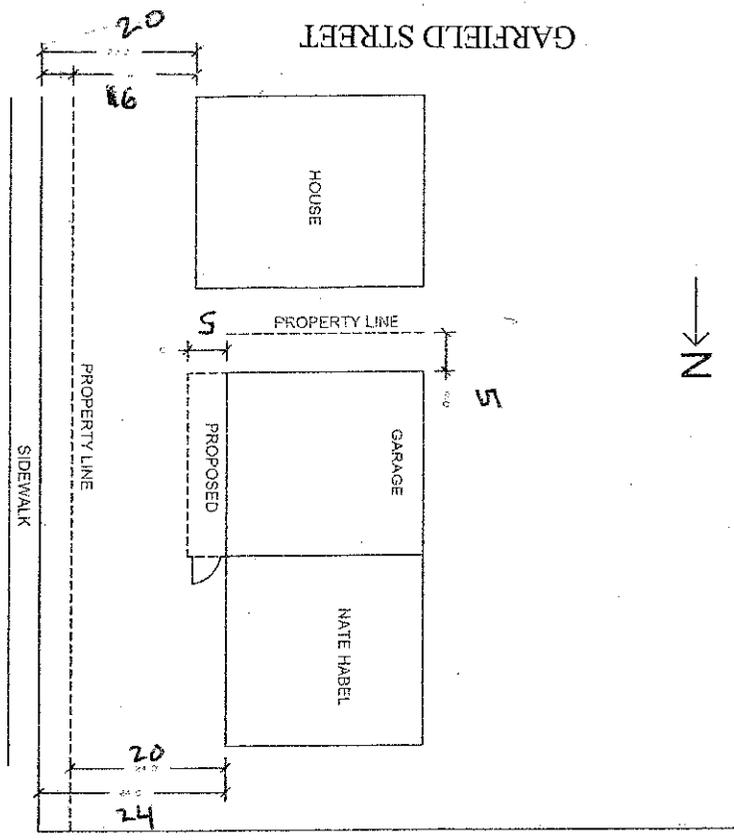
Special Permit #1658A S 8th & Garfield St

Zoning:

One Square Mile
Sec. 35 T10N R06E

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





S. 8TH STREET
PLAN VIEW

Nate Hable

1529 S 8th Street

**PLANNING COMMISSION FINAL ACTION
NOTIFICATION**

TO : Mayor Chris Beutler
Lincoln City Council

FROM : Jean Preister, Planning 

DATE : July 9, 2008

RE : **Special Permit No. 1624A**
(Expansion of domiciliary care facility - Bickford Cottage -
S. 45th Street and Old Cheney Road)
Resolution No. PC-01125

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, July 2, 2008:

Motion made by Larson, seconded by Sunderman, to approve **Special Permit No. 1624A**, with conditions, requested by Eby Development and Management Company, for authority to expand the capacity of the existing domiciliary care facility from 46 to 57 residents, on property generally located at S. 45th Street and Old Cheney Road.

Motion for conditional approval carried 8-0: Cornelius, Taylor, Francis, Sunderman, Partington, Larson, Esseks and Carroll voting 'yes' (Gaylor Baird absent).

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Gerry Munn, The Eby Group, 13795 S. Mur Len Road, Olathe, KS 66062

i:\shared\wp\jlu\2008 ccnotice.sp\SP.1624A

RESOLUTION NO. PC- 01125

SPECIAL PERMIT NO. 1624A

1 WHEREAS, Eby Development and Management Company has submitted an
2 application designated as Special Permit No. 1624A for authority to expand the capacity of the
3 existing domiciliary care facility from 46 to 57 residents on property generally located at S. 45th
4 Street and Old Cheney Road, and legally described as:

5 Lot 79 I.T., located in the Northwest Quarter of Section 17,
6 Township 9 North, Range 7 East of the 6th P.M., Lancaster
7 County, Nebraska;

8 WHEREAS, the Lincoln City-Lancaster County Planning Commission has held a
9 public hearing on said application; and

10 WHEREAS, the community as a whole, the surrounding neighborhood, and the
11 real property adjacent to the area included within the site plan for this expansion of a domiciliary
12 care facility will not be adversely affected by granting such a permit; and

13 WHEREAS, said site plan together with the terms and conditions hereinafter set
14 forth are consistent with the comprehensive plan of the City of Lincoln and with the intent and
15 purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and
16 general welfare.

17 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County
18 Planning Commission of Lincoln, Nebraska:

1 That the application of Eby Development and Management Company,
2 hereinafter referred to as "Permittee", to expand the capacity of the existing domiciliary care
3 facility from 46 to 57 residents be and the same is hereby granted under the provisions of
4 Section 27.63.530 the Lincoln Municipal Code upon condition that construction of said
5 domiciliary care facility be in substantial compliance with said application, the site plan, and the
6 following additional express terms, conditions, and requirements:

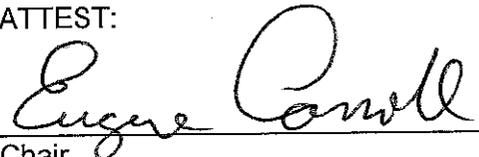
- 7 1. This permit approves a domiciliary care facility for up to 57 persons.
- 8 2. Before receiving building permits:
 - 9 a. The Permittee shall cause to be prepared and submitted to the
10 Planning Department a revised and reproducible final site plan
11 including five copies showing the following revisions:
 - 12 i. Correct the parking calculations on the site plan using an
13 occupancy of 57 persons instead of 58.
 - 14 ii. Add a note to the site plan that states: "All landscaping
15 and screening to be provided per LMC and Design
16 Standards at the time of the building permit."
 - 17 iii. Revise the legal description to include the correct metes
18 and bounds and area description for Lot 79 I.T.
 - 19 b. The construction plans must substantially comply with the
20 approved plans.
- 21 3. Before occupying the building addition all development and construction
22 must substantially comply with the approved plans.
- 23 4. All privately-owned improvements, including screening, must be
24 permanently maintained by the Permittee.
- 25 5. The physical location of all setbacks and yards, buildings, parking and
26 circulation elements, and similar matters must be in substantial compliance with the location of
27 said items as shown on the approved site plan.

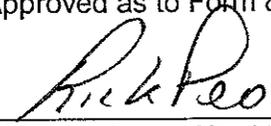
1 6. The terms, conditions, and requirements of this resolution shall run with
2 the land and be binding and obligatory upon the Permittee and the Permittee's successors and
3 assigns. The building official shall report violations to the City Council which may revoke the
4 special permit or take such other action as may be necessary to gain compliance.

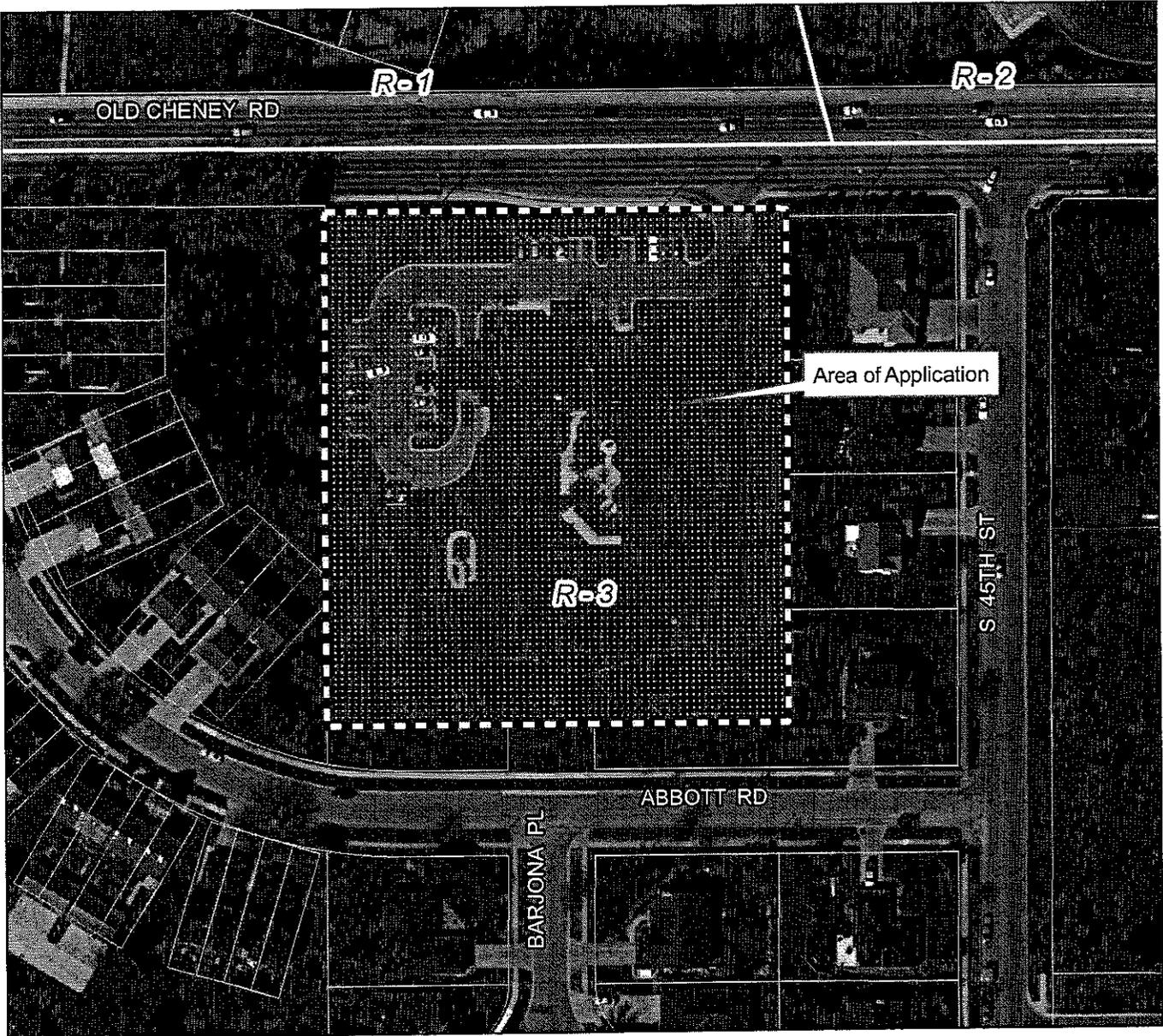
5 7. The Permittee shall sign and return the City's letter of acceptance to the
6 City Clerk within 60 days following approval of the special permit, provided, however, said 60-
7 day period may be extended up to six months by administrative amendment. The City Clerk
8 shall file a copy of the resolution approving the special permit and the letter of acceptance with
9 the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

10 8. The site plan as approved by this resolution voids and supersedes all
11 previously approved site plans, however the terms, conditions and requirements in all
12 resolutions/ordinances approving previous permits shall remain in force and effect except as
13 specifically amended by this resolution.

14 The foregoing Resolution was approved by the Lincoln City-Lancaster County
15 Planning Commission on this 2nd day of July, 2008.

ATTEST:

Chair

Approved as to Form & Legality:

Chief Assistant City Attorney



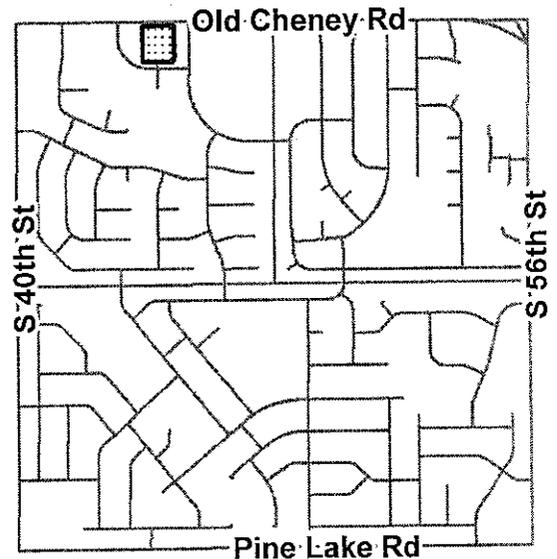
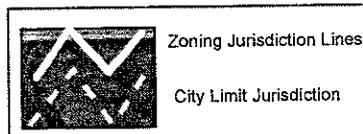
2007 aerial

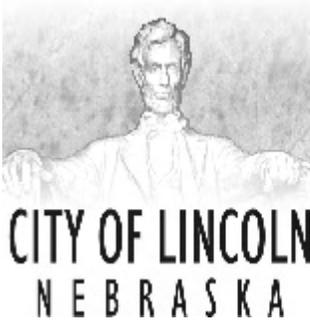
Special Permit #1624A S 45th St & Old Cheney Rd

Zoning:

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

One Square Mile
Sec. 17 T09N R07E





PUBLIC WORKS & UTILITIES ADVISORY

MAYOR CHRIS BEUTLER

lincoln.ne.gov

July 9, 2008

WATER MAIN AND ROADWAY PROJECTS OPEN HOUSE

**36" Water Main in Yankee Hill Road; 56th - 84th Streets
Project #803613**

**Yankee Hill Road Paving from 70th - 84th Streets
EO Project #801605**

The City of Lincoln Department of Public Works and Utilities would like to take this opportunity to invite you to an open house regarding the designs for a 36" water main in Yankee Hill Road from 56th to 84th Streets and paving Yankee Hill Road from 70th to 84th Streets. On **Wednesday, July 16, 2008 from 5:00 to 6:00 p.m. at Horizons Community Church, 3200 Grainger Parkway**, Engineers from the Public Works and Utilities Department and The Schemmer Associates will be available to answer questions about the design of the upcoming projects. Both projects are in the early design phase with construction anticipated in late 2009 or early 2010.

There will be no formal presentation at the open house, but City representatives and the design team from The Schemmer Associates will be available to discuss specific design issues and answer any questions. Please attend at your convenience during the open house hours. If you cannot attend the open house and have questions or would like more information, please contact a project representative listed below.

Erika Nunes
City of Lincoln, Engineering Services
(402) 441-5675

Doug Holle
The Schemmer Associates
(402) 488-2500

Combined Weed Program

City of Lincoln

June 2008 Monthly Report

Inspection Activity

This month's inspections totaled 1,446. A total of 2,357 inspections on 1,341 sites have been made this year.

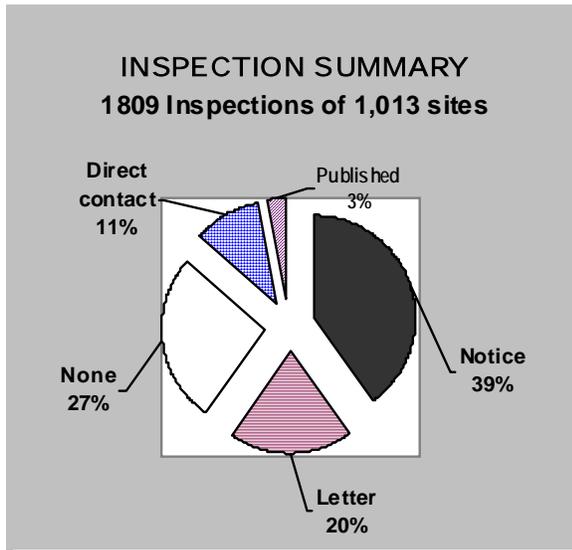
Noxious Weeds

- Made 548 inspections on 328 sites on 1,804 acres.
- Found 277 violations on 310 acres.
 - 245 musk thistle
 - 29 leafy spurge
 - 1 phragmites
 - 1 purple loosestrife
- Found no violations on 43 sites.
- Sent 48 notices, 170 letters, 24 trace cards and made 63 personal contacts.
- 114 sites controlled by landowners.
- Control is pending on 153 sites.

Weed Abatement

inches. Just over 61% of the violations were on residential lots. These lots were about equally split between being owner occupied, tenant occupied or un-occupied. About 32% of the violations were on vacant lots. Violations on commercial, public and right-of-way sites were about 5% of the violations. About 7% of the violations or 54 were contractor cut. About 41% of the contractors cut sites were on lots with unoccupied residences.

- Made 1,809 inspections on 1,013 sites on 488 acres.
- Found 740 violations on 371 acres.
- Found no violations on 270 sites.
- Sent 405 notices, 198 letters, published 31 notifications, made 107 personal contacts and made 6 referrals.
- Owners cut 445 sites
- Contractors cut 54 sites
- Cutting is pending on 241 sites.



About 73% of the 542 sites inspected were violations and 27% were non violations. All but five of the violations were over 12

June Activities

- 3 Budget hearing
- 12 Mgt Team Mtg
- 12 Streambed Ownership Work Group
- 18 LPWMA Meeting
- 30 Platte River Airboat Tour

July Planned Activities

- 7 Lower Platte South NRD
- 8 Weed Mg Assoc Meeting
- 10 Papio Missouri NRD
- 18 Airboat Tour
- 23 LPWMA Meeting
- 24 Riparian Veg Management Task Force





Jon Camp
 <campjon@aol.com>
 07/08/2008 06:18 PM

To <tgrammer@lincoln.ne.gov>
 cc
 bcc
 Subject Fwd: RE: City of Lincoln - Budget -- No new taxes, please?
 Milo Cress, Eagle, NE

Jon Camp
 Lincoln City Council
 City Council Office: 441-7515
 Haymarket Square Office: 474-1838

-----Original Message-----

From: Milo Cress <cressmilo@windstream.net>
 To: jcamp@lincoln.ne.gov
 Sent: Tue, 8 Jul 2008 2:13 pm
 Subject: RE: City of Lincoln - Budget -- No new taxes, please? Milo Cress, Eagle, NE

RE: City of Lincoln - Budget -- No new taxes, please? Milo Cress, Eagle, NE Councilman, Camp, How can we, the Public, see a line item budget -- and get to let you know what line items to keep and to eliminate? Perhaps you could show it on a web site, and let us put a "yes" or "no" by each line item. If someone thinks that "bonds" do not affect the property taxes, you might just show them a list of the bonds and the percent of the property tax they take up, for instance, in Cass County, Bonds (long-term obligations) are responsible for a very significant amount of the property tax (roughly 70%), as the following shows. I have found I can get ahead by paying as I go -- NOT a popular concept for any USA national or local Government unit today.

Description	Rate	Percent	County General
20.96% Co Jail Bond	0.040205	2.18%	----- County Total 0.426239
23.14% SD145 Waverly	1.029970	55.92%	SD145 Waverly Bond 9-12
0.047981	2.61%	SD145 Waverly Bond K-8	0.030112 1.63% SD145
Waverly Bond 9-12 '05	0.022051	1.20%	SD145 Waverly Bond K-8 '05
0.093482	5.08%	SD145 Waverly Bond Elem	QCPUF 0.022049 1.20%
----- SD 145 Total	1.245645	67.63%	FD9 0.014742 0.80% FD9 Bond
0.012425	0.67%	Ag Society 0.006945	0.38% Ag Society Bond
0.011364	0.62%	Nemaha NRD 2 0.040471	2.20% SE Comm College
0.068900	3.74%	ESU No 6 Lancaster	0.015000 0.81% TOTALS ---
1.841731	100.00%		

I will be asking the Lancaster County Assessor for a similar breakdown that I can show my Lincoln clients. Perhaps you already have an electronic copy, and can send it to me. In any event, "Government CAN do with less", and your job is to make that happen. NO NEW TAXES, please! Thank you for your dedication, and do have a great day. Mdc
 Milo D. Cress 901 Maple Drive Eagle, NE 68347 402-781-9313

CressMilo@Windstream.net

The Famous, the infamous, the lame - in your browser. [Get the TMZ Toolbar Now!](#)



Jon Camp
<campjon@aol.com>
07/08/2008 07:10 PM

To <tgrammer@lincoln.ne.gov>
cc
bcc
Subject Fwd: CITY BUSES

Jon Camp
Lincoln City Council
City Council Office: 441-7515
Haymarket Square Office: 474-1838

-----Original Message-----

From: Wes and Jean Ann <holly71@alltel.net>
To: chris beutler <mayor@lincoln.ne.gov>
Cc: jon camp <jcamp@lincoln.ne.gov>
Sent: Mon, 7 Jul 2008 1:19 pm
Subject: CITY BUSES

I have discussed this problem with the previous Mayor, Jon Camp, and Ken Svoboda. All but Seng thought it was a problem. Mayor Seng even went so far as to tell me the buses were almost given to us by the Fed, gov. How can you fight something like that.

Anyway I walk each and every day and see these large city buses driving around mostly empty. Why in the world do Gov officials not understand something should be done about this? Mayor Seng also asked me what should she do with the drivers if she did something about the problem, Can't we use smaller buses? Can't we retire the drivers that are eligible or transfer them to something worth while?

This is not a difficult problem. Please do something if you every want my support.

**Wes Hager
4811 So 72
Lincoln Ne
68516
4890894**

The Famous, the infamous, the lame - in your browser. [Get the TMZ Toolbar Now!](#)



Jon Camp
<campjon@aol.com>
07/08/2008 07:07 PM

To <tgrammer@lincoln.ne.gov>
cc
bcc
Subject Fwd: (no subject)

Jon Camp
Lincoln City Council
City Council Office: 441-7515
Haymarket Square Office: 474-1838

-----Original Message-----

From: mhslnk@aol.com
To: jcamp@lincoln.ne.gov
Sent: Mon, 7 Jul 2008 6:23 pm
Subject: (no subject)
Mr. Camp,

I would like to express my opinion regarding a tax increase. Obviously, no one wants to pay more taxes - this is a given. Is there any thinking that might help low income or fixed income people? We used to get a homestead exemption; then the Council decided to include social security payments. At that point, I was a few hundred dollars over the limit. And yes, I live in a nice, but older, house. There are a lot of upkeep items coming on my agenda that will need repair. I have to live on my monthly income - there are some months when I pay real estate taxes or insurance that I go over my income. I need to be careful of spending the months preceding and following those high pay-out months.

Some states/cities give consideration to seniors or families of those who were in the military service. There is no break in Lincoln. And I am sorry when the Mayor says that we need more money to fund various things. We need to fund essentials, but in a time of a bad economy, those essentials should be whittled way down. Individual people continue to give up what they thought was needed, and sometimes have to give up things that are actually needed.

We need to pull together and make some sacrifices,. I don't think the city will go to ruin if some of the extras are not funded. Let's just get through this time and hope our economy will improve. The Mayor still presides over a good city.

Thank you for "bending your ear" to me.

M. H. Sorensen

Gas prices getting you down? Search AOL Autos for fuel-efficient used cars.

The Famous, the infamous, the lame - in your browser. [Get the TMZ Toolbar Now!](#)



Jon Camp
<campjon@aol.com>
07/09/2008 07:10 PM

To <ww03339@ALLTEL.NET>, <demery@lincoln.ne.gov>, <reschlman@lincoln.ne.gov>, <jcamp@lincoln.ne.gov>, <ksvoboda@lincoln.ne.gov>, <dmarvin@lincoln.ne.gov>, <tgrammer@lincoln.ne.gov>

bcc

Subject Re: Lets see if your serious about spending cuts

Mr. Witherspoon:

I am forwarding your email to my colleagues. To the best of my knowledge, city employee travel has been significantly reduced. I would also hope that no city employee is flying "first class".

That being said, I will ask that the Mayor's office respond with further details to ensure the facts are on the record.

Best regards,

Jon

Jon Camp
Lincoln City Council
City Council Office: 441-7515
Haymarket Square Office: 474-1838

-----Original Message-----

From: Chuck Witherspoon <ww03339@ALLTEL.NET>
To: demery@lincoln.ne.gov; reschlman@lincoln.ne.gov; jcamp@lincoln.ne.gov; ksvoboda@lincoln.ne.gov; dmarvin@lincoln.ne.gov; jcook@lincoln.ne.gov; jspatz@lincoln.ne.gov; mayor@lincoln.ne.gov
Sent: Wed, 9 Jul 2008 4:08 pm
Subject: Lets see if your serious about spending cuts

I have an idea about spending cuts.

First let's cut out all travel outside the state of Nebraska, for all city employee's.

If city employee's are allowed to go outside the state, their travel needs to be signed off by the mayor (starting today). Those travelers must travel by the cheapest way possible, not the most convenient way (coach instead of first class). Meals and lodging must also be addressed, with cap amounts (first class accommodations, denied).

No more conferences with more than one person attending, the person attending should be able to provide the others with the information that the conference provided. No more spouse traveling with the employee (this includes the mayor).

This would be a start to controlling a serious problem, overspending. The people of Lincoln realize that we need to reduce the spending and have cut our personal spending to match our budgets. It's now time to show the people of Lincoln, that you are serious about spending cuts, by enacting some controls over the upper employee staffs.

I'd be interested in knowing the amounts that are budgeted, by department, for these expenses.

More to come.

Chuck Witherspoon

2648 Sewell

Lincoln, Ne

ww03339@alltel.net

I am using the free version of SPAMfighter for private users.

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Jon Camp
<campjon@aol.com>
07/09/2008 07:26 PM

To <tgrammer@lincoln.ne.gov>
cc
bcc
Subject Fwd: Budget

Jon Camp
Lincoln City Council
City Council Office: 441-7515
Haymarket Square Office: 474-1838

-----Original Message-----

From: Jon Camp <campjon@aol.com>
To: tgrammer@lincoln.ne.us
Sent: Wed, 9 Jul 2008 7:18 pm
Subject: Fwd: Budget

Jon Camp
Lincoln City Council
City Council Office: 441-7515
Haymarket Square Office: 474-1838

-----Original Message-----

From: BFillaus3@aol.com
To: jcamp@lincoln.ne.gov
Sent: Sun, 6 Jul 2008 1:06 pm
Subject: Budget
Jon Camp
City Council
555 S 10th St
Lincoln NE 68508

Dear Jon:

Please reject our Mayor's budget for the coming year. We do not need a tax increase of any kind. What we need is a reduction in fees, rates and taxes. We need fiscal restraint from all our elected officials at this time and in the coming years. Reduce wage increases for all city employees. Reduce the benefit packages that border on the obscene, such as the 2 for 1 match of retirement funds. Eliminate funding of agencies like was attempted last year of the women's commission. We need to stop having the few dictate their demands on the taxpaying public. We are all tired of reading how a small grant to this agency will preserve the city for our children and their children. Eliminate all funding, if it is really all that important the private sector will see that it stays in existence. I found it rather comical that closing unprofitable pools and recreational areas will increase juvenile crime. Irresponsible parenting to me would be a greater concern. The School Board is run by the teacher's union. Please do not let our fine city be controlled by the labor unions. Reduce wages and if that is not possible contractually, reduce and eliminate positions. Labor will forecast all these

dire situations that are going to arise because of these cost saving. It is their forecast, nothing factual. We do not know the consequences of staff reduction. It might actually be that the responsible city workers will increase their productivity. The desire to be the best is a God-given attribute that will enable everyone to make this happen.

Show your leadership, reject the Mayor's budget. Propose a budget that will be structured so as to reduce taxes, and fees in the upcoming decade. Everyone needs discipline and structure in their life, why not a city?

Thank you
A tax-burdened citizen

Bob Fillaus

Gas prices getting you down? Search AOL Autos for fuel-efficient used cars.

The Famous, the Infamous, the Lame - in your browser. [Get the TMZ Toolbar Now!](#)

The Famous, the Infamous, the Lame - in your browser. [Get the TMZ Toolbar Now!](#)



kevin johnson
<kjddrp@earthlink.net>

07/07/2008 10:56 AM

Please respond to
<kjddrp@earthlink.net>

To <council@lincoln.ne.gov>

cc

bcc

Subject: Fireworks

Just some food for thought.

If you loosened up the law allowing longer sales and some moderately larger sized fireworks, would people be less inclined to go to other states and bring back the really big stuff? I realize the goofy rednecks are always going to do it but that is what Darwin's law is for. I just think it might prevent the average family from going to Mo. and thinking, "Well, as long as we're here..."

Peace

Kevin Johnson

kjddrp@earthlink.net



m wagner
<mwag@inebraska.com>
07/07/2008 05:32 PM

To <council@lincoln.ne.gov>
cc
bcc
Subject NO TAX HIKE

Dear Council Members,

If the tax hike is so small why do we need it? Why can't we cut the budget just a little more and leave services like pools and libraries? Surely there are additional small cuts that can be made to the budget. I say no to new taxes and yes to cutting a portion of empty star-tran buses and a portion of the LFD increase.

What say you?

I do not allow myself the luxury of purchasing a pop a month as it is. Why should I allow the city to take my money when I don't even allow myself to use it?

Sincerely

Matt Wagner – LincolnResident



<tdelozier@pol.net>
07/07/2008 10:53 PM

To <council@ci.lincoln.ne.us>
cc
bcc
Subject: property tax increase

Please forward to all the Council members.

Contrary to what Councilman Marvin said on the news today (7/7/08) my husband and I are **not** in favor of the proposed property tax increase which the Mayor is suggesting. I throw my hat behind Councilman Camp who is proposing that we use the money available to the city rather than immediately moving to tax the public some more. I also believe that the city's pension plan needs to be renegotiated asap. A large amount of money could be saved if the city did not provide a 2 to 1 retirement match.

I also would like to request that Councilman Cook improve his attendance record at council meetings **and** that Mr. Cook remember to represent **all** of his district which includes the southwest part of Lincoln. Many of your constituents do own larger homes which means we pay a larger percentage of the taxes (whether it be property, sewage, water, utilities, etc.). We are tired of supporting the rest of the city.

Thank-you.

Jodi Delozier
27th and Pine Lake

July 7, 2008

RECEIVED

Mayor Chris Beitler and Members of the City Council
Mayor's Office
Lincoln, NE 68510

JUL 07 2008

CITY COUNCIL
OFFICE

Dear Mayor Beitler:

Some time ago, we spoke about my concerns regarding the new County Jail that is being proposed. You suggested that I send you some of the materials I or others have written regarding this ill-conceived project.

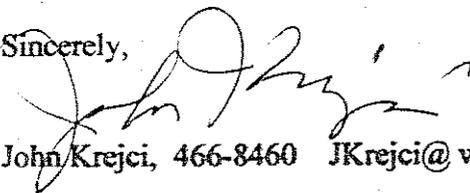
I am aware that you are now considering the new city budget, which proposes a small tax increase, which I totally approve. It is about time that someone is courageous enough to admit that government services cost money. However, the County Supervisors are intent on burdening us with a substantial tax burden for an unnecessary jail without sufficient input from citizens or other principals involved. I have spoken to Gary Lacey, Chief Casady, Sheriff Wagner, and Public Defender Keefe. All expressed major reservations concerning the jail project and the process. Kim Etherton, director of Community Corrections for the County, has demonstrated that many offenders can be managed through alternatives to incarceration.

I would urge you to slow the process down, encourage the commissioners to rethink their \$64 million dollar jail. (Perhaps a \$5-10 million minimum security facility on West "O" would serve the overcrowding problem.) Given the present fiscal constraints of the city, the increased travel costs alone should be a disincentive to commit scarce city resources to this extravagant and unnecessary project.

The enclosed material lists reason for not building a jail and suggests alternatives that cost about one tenth of incarceration. One letter gives ten good reasons not to build the jail at all.

I am willing to meet with you or your staff to discuss further this issue. I thank you for your interest and concern.

Sincerely,



John Krejci, 466-8460 JKrejci@windstream.net

It's time for county to think outside the (jailhouse) box

BY JOHN KREJCI

Recent reports of the \$2.3 million for land acquisition for a jail bring up the question, "Do we in Lancaster County want to follow blindly down the road of other counties and build a new jail?" And, incidentally, spend \$94,000,000 for construction, while committing another \$20 million per year to staff and operate it! Or can we come up with some less expensive and more humane alternatives?

I don't think the County Board of Commissioners really wants to undertake this costly and unpopular project. One reason given to build is overcrowding, although the prisons run by the state are much more overcrowded than Lancaster County. Another standard response is public safety, but the fact of the matter is that most inmates of our county jail are pretrial holds or misdemeanor offenders, the vast majority of whom present little safety threat to society.

The board is faced with a dilemma of how to finance such a huge project. Legal restrictions limit the amount of money the county can borrow without a vote of the people. And a proposed 5-cent property tax increase as a temporary measure might not go down well with taxpayers, who only recently approved a \$250,000,000 school bond issue. That's a quarter of a billion dollars, if my math is correct.

What the County Board should do is form a committee of the stakeholders and brainstorm alternatives. I have spoken with jail officials, law enforcement, judges, jail standards personnel, community corrections supervisors, probation officers as well as County Board members, and no one is enthusiastic about a new jail. Several see it as wasteful spending.

Major input to the board is from The Clark Enersen Partners, an architectural and consulting firm that carried out a study of city and county needs for jail space. Its rec-

LOCAL VIEW



KREJCI

ommendations included expanding the old site, keeping the old jail and building a second facility or constructing a new facility. It recommended the third option.

Sometimes one wonders whether these studies are objective or based partly on self-interest. There is a lot of money to be made in jail expansion. Reminds me of Chicken Little: "The jails are bursting, the jails are bursting!" New jail construction is profitable for planners, architects and developers and costly for taxpayers. Is it any wonder the corrections industry is one of the greater growth sectors in the economy? California now spends more on its prisons than it does on its schools.

After talking to some of the stakeholders and thinking outside of the box, I have come up with a few suggestions:

1. A mistake was made when the current maximum security facility was built in 1969. Lancaster County did not need, as one person remarked, "a 17th-century prison." Since most inmates pose little threat to society, they could be reclassified and housed in a place like the work release facility at Air Park. Perhaps Air Park could be expanded or a similar facility could be built (on the proposed West O site?) so that the number of minimum security cells are increased.

2. More of those sentenced could be put in community corrections programs and could live in the community. This might require hiring more probation officers to supervise them, but that cost would be more than compensated by not having to build and staff a

\$94 million dollar jail.

3. Another desirable alternative is house arrest using electronic monitoring. Most inmates in the Lancaster County jail are pretrial detainees. Electronic monitoring is much less costly than incarceration. The cost for an electronic bracelet is \$1.50 a day. With supervision, the total cost amounts to less than \$10 a day.

4. As an interim measure to alleviate overcrowding, the County Board could continue housing inmates at other facilities, like Platte County. Recently, the board instructed the jail director to investigate housing inmates in Omaha's new overbuilt facility. The number mentioned was 70 inmates. At \$70 a day, 70 inmates would cost the county about \$1.75 million a year. Fifty would be one and a quarter million. At that rate, it would take a long time to expend \$94 million.

5. Another possibility would be to speed up the bonding procedures. Many of those housed in the jail are pretrial detainees.

6. There are also inmates serving time instead of paying fines. A \$500 fine amounts to eight days in jail. Perhaps there is an alternative.

Recently, the Revenue Committee of the Legislature was told it could run a program for drug- and alcohol-addicted inmates within the existing prison system for \$2 million rather than build a \$16.5 million facility in Norfolk.

This is a good example of thinking outside the box. In addition, through the use of community corrections and increased parole, Nebraska has actually reduced its prison population in the past year. There are entities such as the Vera Institute of Justice and the Pew Charitable Trust that help governmental bodies to seek alternatives. They could be a wiser alternative to consultants and architectural firms. Let's think outside the box.

John Krejci is emeritus professor of sociology and social work at Nebraska Wesleyan University. He is a writer for the Nebraska Criminal Justice Review.

No, Lancaster County doesn't need to build a new \$94M jail

BY HENDRIK VAN DEN BERG

The Journal Star's Sept. 5, 2007, editorial argues that Lancaster County must build a new jail in order to "meet the needs of our growing community." This is a strange argument. It suggests that locking up more people is a normal consequence of economic growth. Rather, the alleged need to build a new \$94 million dollar jail just 16 years after the previous new jail was built is really a huge failure of community development. Putting more people behind bars certainly does not represent the "quality economic growth" our local leaders like to talk about.

Let's step back a minute and put this jail in a broader perspective. According to data from the International Centre for Prison Studies in London, Nebraska already incarcerates about four times as many people per capita as all other civilized countries. That includes countries like Australia, Canada, Britain, Ireland, Sweden, Germany and France, all countries that have similar social and cultural histories as we do. Why are we so different? More humbling is the fact that even undemocratic China incarcerates only about one-quarter as many people per capita as Nebraska does! Of course, some will argue that Nebraska is doing pretty well compared to the United States as a whole, which incarcerates about seven times as many people per capita as other developed countries. But that does not change the fact that Nebraska's incarceration rate is still four times higher than the norm for civilized societies.

Before we spend close to \$100 million (or a slightly smaller amount after our county commissioners proudly eliminate a couple

LOCAL VIEW

of items from the consultants' bloated proposal), let's just recognize that we already have more than enough jail and prison capacity in our state. All we need to do is open our eyes to the alternatives to incarceration. John Krejci described many such alternatives in his Local View in this newspaper on July 14.

First of all, we can stop locking up so many people for nonviolent crimes. We can also reduce the length of time we lock people up. But mostly we need to avoid locking people up at all, because very few former prisoners are ever able to go back to life as usual after being imprisoned and burdened with the many restrictions that felons face in the job market, the financial markets, the housing market and society in general.

We can halve our dismal incarceration rates if we would just admit that the war on drugs is a complete failure and stop treating drug users as criminals. Like the Prohibition last century, the war on drugs has only served to provide profits for criminals, thrown millions of youthful Americans in jail, and failed to stem drug use and addiction.

The proposed \$94 million county jail is actually the tip of a drug-war iceberg consisting of widespread drug-related violence, family breakups, lifetime second-class status for millions of American "felons," the corruption of entire countries where some drugs originate, and massive racial and social discrimination because the draconian punishments are very arbitrarily administered. Worse yet, adding jails to lock up more

people for drug use and drug dealing raises drug prices and destroys people's lives, and this actually creates more of the violent crime that makes life less comfortable for all of us.

Another factor the Journal Star editorial ignores is the fundamental injustice in mandating lifelong punishment for youthful mistakes. The great majority of new felons are young. Our willingness as a society to condemn youthful lawbreakers to incarceration and the lifetime restrictions that felons face reflects an underlying meanness and cruelty that pervades American society today. We need to overcome this national moral failure. Hollow declarations about how more jail cells "meet the needs of our community" are not helpful. We need to get change our "lock 'em up" mentality.

Spending \$94 million for more jail cells takes us further away from building more positive social policies that keep people parenting, working, studying, innovating, building, creating and, most of all, enjoying their lives as full members of their community. That is what community development is really all about.

I hope our county commissioners are smart enough to see that we cannot deal with complex social issues by locking up more and more people. The fact that the United States is the undisputed world incarceration champion is a national tragedy. Do our county commissioners, and all of us here in Lancaster County, have the courage to begin pushing back against the oppressive growth in incarceration by saying "no" to a new jail?

Hendrik Van den Berg is an associate professor of economics at the University of Nebraska-Lincoln.

LETTERS TO THE EDITOR

Jail alternatives supported

The recent jail bond vote concerned financing only. The County Board didn't want voter opinion; their minds were made up. Voters were wrong to assume otherwise, according to the board.

We already lead the world at putting people behind bars, one of every 100 adults, according to a report from the Pew Center on the States, without a clear change in overall crime or repeat offenders (LJS, Feb. 29). The report urged states to curtail corrections spending by placing fewer low-risk offenders behind bars. Other states have acted to slow this growth.

It's clear that only offenders who threaten our safety need to be locked up. Most offenders do not. If we reallocate the use of jails, there would be no space shortage. So many offenders, be it mental illness, substance abuse and a host of nonviolent activity, need a support system and not a court system.

More jails merely perpetuate a system that leaves hard to employ ex-convicts in its wake. This is the last thing needed, not the first.

We need a change in priorities. A different approach developed from a consensus of the community will show more informed and cost-saving ways to be more effective, preserve human dignity and create productive taxpayers.

Ask the question: Why the unwilling-

ness to seek public input? Let's find out who is behind the curve and who is up to speed, elected officials or taxpayers.

Fred J. Hurlbut, Lincoln

jpk

From: "jpk" <jkrejci@windstream.net>
To: <oped@journalstar.com>
Cc: "Krejci John" <jkrejci@alltel.net>
Sent: Tuesday, December 04, 2007 10:40 AM
Subject: Letter to the editor

VOICES OF DISSENT ON NEW JAIL
John Krejci

Three top officials have seriously questioned and/or called for a moratorium on the County Commissioners' headlong rush to build and operate their new jail. Construction costs could run as high as \$94 million with \$20 million more annually to operate the facility. Those figures should give us all pause to question and propose alternatives.

Sheriff Terry Wagner (LJS, 11/14) had concerns about transportation issues that will accompany any off-site jail. Of even greater concern was the Commissioners' lack of including his office in the pre-architectural study and planning. Neither he nor Chief Casady were asked to provide local crime and arrest statistics which are vital to any plan for a new jail. Casady expressed his concern about transportation and jail design and feels that he was not adequately included in the planning. Wagner suggested that the Commissioners "take a step back and make sure all the information is available to you for the total cost of this whole project."

Public Defender Dennis Keefe suggested further (LJS, 11/16): "I believe seriously you ought to take a step backward from the jail for a second and give alternatives to incarceration a chance to work." Keefe proposed a moratorium — perhaps appointing all local stakeholders to meet and consider alternatives. He urged that the present alternatives of community corrections, house arrest, electronic monitoring, more efficient bonding out, shorter pre-sentence investigations, and the like be given adequate chance to work, that is, to decrease the jail population. These programs were only recently expanded.

The myth that county jail inmates are a danger to the community needs to be dispelled. The head law enforcement officials, the County Prosecutor and Public Defender all agree that, with a few exceptions, these are people we are angry with, not that we fear. They are charged with crimes such as shoplifting, bad checks, DWI, public intoxication, vagrancy, or some deviant behavior due to mental illness or homelessness.

To their credit the County Commissioners recently added \$92,000 to the Community Corrections budget to do exactly what officials have suggested above. As these alternatives expand they are having a significant impact on the jail population. Judges are increasingly buying into the programs. Keefe asked that these fledgling programs be given a serious tryout before building an expensive new jail. We have been giving lip service to alternatives for almost 20 years and now, when we are finally implementing them on a significant basis, is not the time to abandon them.

Citizens are also raising their voices, suggesting alternatives to incarceration, —better ways of spending the money, such as parks, education, and crime prevention. Some citizen examples: (LJS, 11/5)

- "...it's just awful the money we're putting into prisons instead of prevention."
- "...maybe we're putting too many people in jail that are not a threat to society."
- "To alleviate fuel expenses, the parking lot to the south could have (jail) expansion with a skywalk..."

Perhaps the local business community (LIBA) should weigh in again and question the Commissioners. I have not heard a word from the County Democrats or Republicans. Perhaps this is an issue that both could argue on.

To the Commissioners, "Whoa! Slow down. What's the rush?" Crime was been decreasing for the past 20 years. Why then are we incarcerating more citizens and building more prisons when we have viable alternatives?

John Krejci, Lincoln
466-8460

12/4/2007

Correcting corrections: The failed U.S. prison system and how to make it right

By John Krejci, Emeritus Professor of Sociology and Social Work. Ph. 402-466-8460

Show me your prisons and I will tell you what kind of a people you are! The classes of citizens we choose to incarcerate reveal volumes about our society.

Christopher Shea, writing in the *Boston Globe*, said, "For years, sociologists saw prisons, with their disproportionately poor, black, and uneducated populations, partly as mirrors of the social and economic disparities that cleave American life. Now, however, a new crop of books and articles are looking at the penal system not just as a reflection of society, but as a force that shapes it. In this view, the system takes men with limited education and job skills and stigmatizes them in a way that makes it hard for them to find jobs, slashes their wages when they do find them, and brands them as bad future spouses. The effects of imprisonment ripple out from prisoners, breaking up families and further impoverishing neighborhoods, creating the conditions for more crime down the road."

The results of "tough on crime" policies

We have paid and continue to pay a high price for the "get tough on crime" policies of the 1990s. Unfortunately, these attitudes still persist in unenlightened lawmakers up to the present. Since the 1990s, more persons have been sent to prison with longer sentences, "three strikes and you're out" was created, and maximum minimum sentences laws were enacted. The price is one of human limitation and degradation. Prison populations have skyrocketed to the point that we now incarcerate 2.2 million persons. We have the highest rate of incarceration of any country in the world. Four times that of China! Seven to ten times the rate of Western European democracies, as well as English speaking countries such as Canada, Australia, and New Zealand.

And whom do we imprison? Approximately 50% of our prison population are minorities—African Americans have by far the highest rate. More African Americans are sent to prison annually than are in college. One in three Black males 18-25 are in some relationship with the law—in jail, on probation or on parole! Hispanics and Native Americans are also imprisoned disproportionately to their numbers. A huge number of those in prison have been involved with drugs and alcohol. Eighty percent have some involvement or problem with substance abuse and as many as 30% are incarcerated because of drug offenses. What might be the most tragic of all is that a full 25% of inmates have serious mental health problems. In 2006, 27% of inmates at the Tecumseh prison were on psychotropic drugs. So who inhabits our prisons and jails? Minorities, people with drug problems, and the mentally ill—and most are also poor! In fairness, I should add that a few of these are violent offenders and a danger to society. But what does this say about the United States? Looking at this aspect of American life, I can't say that I'm proud to be an American!

I suspect that many people keep prisons and prisoners

off their radar screens to avoid having to think about this disgrace. Despite this denial, the further results of our law enforcement and corrections policies cannot be ignored.

The cost of corrections is accelerating with no end in sight. The annual budget of the Nebraska Department of Corrections has more than doubled in the past decade. Projections estimating the cost of building and staffing future prisons in Nebraska are in the hundreds of millions, and Nebraska is a small state with a relatively modest incarceration rate—about half the national average. The prison industry nationally has a \$60 billion a year price tag and is one of the biggest growth industries in the country. It is said that California now spends more on corrections than it does on education. Corrections is in danger of bankrupting political entities and is causing cutbacks in other services such as parks, health, services to children, roads, and education. We might ask ourselves: Is this the social policy that we want to pursue?

How have we put ourselves into this situation? It began, as I noted, with fear and the obsession with public safety and punishing the "bad guys." This mentality fit well with the war on drugs and the media's focus on drug violence. Politicians found that if they played on this fear and promised to get tough on crime, they would more easily get elected and re-elected. Laws were passed, law enforcement proceeded to do their job, judges were hamstrung by mandatory sentencing policies, prisons overflowed and new ones were quickly built in the hope that we could "build ourselves out of this problem." What we are beginning to realize is that we can't.

However, what is a bane for government is a boon for those who make their living from the prison industry. The profit motive has taken on a life of its own and is voraciously feeding on the "lock em up" frenzy of the 90s. There is money to be made in the prison business. Architects, planners, builders are ready to "help." Private providers of food, medical services, uniforms, electronic devices, security of all kinds, training and a myriad of other services have grown up around the prison industry. Not to mention job opportunities for guards, administrators, social service workers, and support staff. Small counties that are economically stressed often float bonds to construct new county jails. I addressed this practice in "Jails for profit, a moral outrage in Nebraska" (*Nebraska Criminal Justice Review*, Sept. 2006). The strategy is to overbuild the jail and then rent out space to other jurisdictions, such as the Federal Government or a large city with an overcrowded jail. In this way the jail is filled, the bonds are paid off, and some economic development is provided for the struggling town...all at some other taxpayers' expense.

A friend of mine, a prisoner of conscience under Federal control, was housed in a prison for profit in Kansas. He described it as a hell hole. When cost cutting is involved, services sink to the lowest—bad food, a filthy environment, no educational resources (there were about ten books in the whole facility) and even a shortage of toilet paper, which was issued weekly and had to be used for all types of cleaning!

Community corrections offers a new direction

But enough of the negative. What can be done to slow the trend to incarcerate more and more? Amazing as it may seem, the solution—or at least a part of the solution is available right now and the cost is about one tenth that of building prisons. And even more surprising, it is being tried right here in Nebraska. The umbrella term for the solution is “community corrections.” Community corrections refers to a number of alternatives to incarceration. Contrary to popular belief, the vast majority of the inmates in our prisons, and particularly in our county jails, are non-violent offenders, pose little threat to society, and would be much better served with some alternative to incarceration. Electronic monitoring, house arrest, probation, quicker bonding out of pre-trial detainees, and work release are but a few examples that are available to judges.

In 2004, the Nebraska Legislature passed the Community Corrections Act, which set up a council of stakeholders from corrections, law enforcement, the courts, social services and representatives from the Legislature. Their task was “the implementation of a comprehensive community corrections strategy in Nebraska for purpose of reducing the incarceration of certain targeted felony offenders, while supporting the use of a continuum of community facilities and programs...” In the four years since the legislation, the Council has kept over 200 felony drug offenders out of prison, i.e., on probation, and has set up an intensive supervision and treatment program for each person. Each is carefully monitored and evaluated. If they fail to follow their probation guidelines, they go back to court and could be incarcerated. There is as yet no definitive confirmation of the effectiveness of this program, but there have been few failures and the Nebraska prison population has decreased for the first time in many years.

Another Nebraska example is Lancaster County (Lincoln, NE), where a community corrections program—keeping people out of the county jail, has been so successful with the judges, who are sentencing alternatives to jail, that they had to ask for additional funds for more ankle bracelets used for electronic monitoring. And after only two years of full operation, the county jail is seeing a significant reduction in overcrowding. The sad irony is that the County Commissioners are hell bent on building a \$60 plus million dollar jail before they see if their community corrections program can solve their overcrowding problem for about one tenth the cost. Their community corrections program costs a little over one million dollars a year while the acquisition of land for the new jail cost over \$2 million and the fee to design the jail will be more than \$4 million. Seems they have their priorities backwards and are unwilling to seriously consider alternatives to their brick and mortar solution. The recent vote on the jail provided taxpayers no chance to vote down the project except a choice between two funding options, neither of which seem to be binding on the Commissioners. They have eyes but they fail to see. The taxpayers sent a signal to the commissioners by choosing not to give them additional borrowing options.

In conclusion, and to end on a positive note, we have painted ourselves into a very expensive corner by following the law and order model of corrections. But there is a way out. As one cartoonist conceived it, we can stand up in our corner, draw a door on the wall, mark it “Community Corrections,” and walk away from the no-win “get tough on crime” model of the 90s.

It will not be as easy as that, but it is possible and we need to seriously try community corrections or we will face the consequences. For more information on community corrections in Nebraska, go to <http://www.ncc.state.ne.us> and click on the link to the Community Corrections Council.

Book Review

***A Place to Stand: the Making of a Poet*, by Jimmy Santiago Baca. New York: Grove Press, 2001.**

Jimmy Santiago Baca writes his autobiography for his son, hoping by breaking the silence, he can break the pattern of people in his family landing in prison, victims of drug and alcohol addiction. In telling his story, he accepts responsibility for his mistakes and he opens communication for others to avoid making the same errors.

After short visits to jail for misdemeanors or false charges, Jimmy Santiago Baca finds himself in Florence Prison with a five-year sentence. Although innocent of the charges, he comes to understand his dealing drugs has landed him in the place he called home for nearly six years. Baca decides, if he is to make changes for the positive he, not the criminal justice system, needs to change.

Baca's first attempt to work toward a more positive future is to pursue his educational opportunities. His parents deserted their family before Jimmy started the first grade. As Jimmy moved from his grandparents' house, to an orphanage, to a lockdown correctional facility, he missed out on the educational opportunities available to him. He is now twenty-one years old and illiterate. In retaliation for violent activity in his first months in prison, the Florence staff vow that Jimmy would never be allowed to participate in the GED program he by now openly covets.

After Baca steals a volume of Romantic poetry from one of the staff, he manages to painstakingly sound out a few words of William Wordsworth's poetry, and, word by word, he teaches himself to read. He moves from there to teach himself to write.

Jimmy's education continues with a pen pal from the free world. Arranged through a prison ministry, the man who starts the correspondence, encourages Jimmy to develop his writing skills. Soon other inmates, who take a genuine interest in Jimmy's future, encourage him as well. In prison, Jimmy finds the “family” he had seldom enjoyed growing up among his blood relatives.

An intense interest in poetry leads to Baca's establishing contact with poets in the free world who coach and encourage his writing. While Baca is still incarcerated, he publishes a few poems and begins a personal correspondence with a well-published female poet. This not only helps him develop his artistic talents, the poet provides a safe haven for Baca to live immediately after his release.

Jimmy Santiago Baca's autobiography speaks to everyone, not only inmates, about the importance of accepting life, with all its difficulties and unfairness, as one's own opportunity to succeed. Baca manages to find “a place to stand” in his own skin and provides an inspiring example for others to do the same.



WebForm
<none@lincoln.ne.gov>
07/08/2008 09:34 AM

To General Council <council@lincoln.ne.gov>
cc
bcc

Subject InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: L. Connolly
Address: 4110 Sumner St.,
City: Lincoln, NE 68506

Phone:
Fax:
Email:

Comment or Question:

Re: Mayor's proposed property tax increase and question re: equitable taxation.

My situation: single homeowner of 30+ yrs. Have never had children yet a significant portion of taxes are for educational needs. Working as a professional in healthcare I am certainly in favor of education. I also do not mind supporting the city's benefits as I am a regular and appreciative user of libraries, parks, streets, bike trails, etc. and appreciate the other services. Due to the current glut of professionals in my area jobs are extremely difficult to find and include few benefits. I currently have a regular job of 4 hrs/wk and my on-call jobs may provide another 2-16 hrs/wk. I also have a min. wage 6 hr/wk job. Just my health insurance (no group coverage) is approaching \$600/mo. Thank God I am healthy! Thruout my career I have rarely had any retirement benefits thru work and so must plan and save. This past year has meant borrowing from my emergency fund rather than depositing into savings. Not what I had ever planned. I do not have a "sugar daddy" (and don't wish for one!) nor have I won the lottery.

So, my question: What can we do to have those who are utilizing benefits such as education, streets, parks, etc. and who do not pay property taxes to share in an equitable fashion? I know a number of people who choose to rent because they've chosen NOT to pay high taxes yet avail themselves of all the benefits. I realize that the property owners who rent to them do pay taxes for those benefits and services, but it seems that we have a significant number of people in our community who could/should be contributing. Example: Another person in my profession who works full time, as does her husband, with their income in the \$60-\$90K range. They choose to rent because they don't want to pay taxes. They have 3 grown children who all went to school here. One child lives on his own. Two daughters live with the parents, as do their boyfriends. All are apparently working. Between the 3 children there are now at least 4 grandchildren, now becoming school age. All will attend school here in Lincoln, all have utilized the libraries, parks, streets and other services that our property taxes help provide.

Wouldn't there be some equitable way that all these adults who are enjoying these services could also pay taxes to help in the load, rather than continuing to burden the rest of us? It seems that even renters could somehow have a tax included with rent that would be collected by the landlords and then reported and paid with the property taxes. I know tracking/record-keeping is an issue, but it seems like an idea that could be considered. I could repeat several instances like this; these are not

low-income individuals who are barely making it. They are people who are choosing to enjoy all Lincoln has to offer yet contributing little to help finance it, and yes, often are some of the first to complain if their street isn't cleared soon enough after snow, if the sidewalk has a crack--you know....

Thanks for your help and representation. I know you have an incredible responsibility in helping us all.



WebForm
<none@lincoln.ne.gov>
07/08/2008 10:06 AM

To General Council <council@lincoln.ne.gov>
cc
bcc
Subject InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: L. Connolly
Address: 4110 Sumner St.,
City: Lincoln, NE 68506

Phone:
Fax:
Email:

Comment or Question:

I just sent questions re: property tax. Rather than replying via mail, my e-mail address is "linells@hotmail.com". That will save paper and postage.

Thanks.



WebForm
<none@lincoln.ne.gov>
07/08/2008 11:00 AM

To General Council <council@lincoln.ne.gov>
cc
bcc
Subject InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: Jim and Judi Cook
Address: 3339 So. 40th St.
City: Lincoln, NE 68506

Phone: 483-1239
Fax:
Email: jcook2@neb.rr.com

Comment or Question:
Members of the City Council,

We are residents of Mr. Camp's district, but are sending this note to all of you because we think your upcoming deliberations on the city budget are extremely important. We are both retired and on relatively fixed incomes. As a result, we do not readily endorse additional taxes or other increases in our cost of living. However, we are very conscious of the current budget situation and of the history that led our city to the present dilemma, that is the need to either increase the now very low city property tax rate or watch the quality of our city continue to erode. We do not wish to see continued decline in the services that are provided even though many of those services will not be used by us. Therefore, we urge your approval of a budget that calls for no less of a tax increase than what has been proposed by Mayor Beutler. Frankly, we are disappointed that the mayor did not construct a budget that would better preserve city park and other services even if that budget would have meant an additional increase in the tax rate. The proportion of the overall tax rate that goes to the city is small and we are willing to reduce our other living expenses in order to pay to maintain the quality of this city into the future.

Thank you for taking our position into account.

Jim and Judi Cook



Cindy Hulsebus
<CHulsebus@FirstNebTrust.Com>

07/08/2008 03:21 PM

To <mayor@lincoln.ne.gov>, <council@lincoln.ne.gov>

cc

bcc

Subject STOP INCREASING PROPERTY TAXES!!!!!!

I have never heard anything so naïve as the statement Dan Marvin said when he indicated that the real estate tax payers wouldn't mind an increase in their property taxes for the City to spend more money. We are tired of all of you, the County Commissioners and State Legislatures increasing our property taxes because you don't know how to budget.

If I am short on income vs expenses guess what, I cut back on expenses or get a part time job. DON'T CONTINUE TO SCREW THE TAX PAYERS!

Gas is high, food is high and your spending must be cut. To increase taxes so you can have a 2.3% increase in your budget is ridiculous. STOP SPENDING--- Cut 65 employees, yes great idea, but giving early retirement? So now we are getting rid of old people and still having to pay their retirement wages and benefits? No, start with the people who have the least amount of time in and stop their wages. How do we save money if we are paying for 65 people on retirement benefits???

In case you can't tell, I'm very upset you all think there's a money tree in your back yards call property tax. Get real and start earning your pay. No new event center, no new jail, and no more increase in property taxes!

Thank you,

Cindy Hulsebus



June Carrell
<june@tcarrell.com>
07/09/2008 01:47 AM

To <council@lincoln.ne.gov>
cc
bcc
Subject support proposed property tax increase

4024 S. 81st Street
Lincoln, NE 68506
July 8, 2008

Dear Lincoln City Council:

I hope you will approve Mayor Beutler's proposed tax increase of 1 cent. I live in one of those average houses that will pay about \$15 in additional property taxes, and I feel that my money would be well spent to keep up city services. How can we expect the city to accomplish more with less, when the price of everything else is going up?

I see this as a worthwhile investment both in the quality of my life here and now, and in the future economic well-being of the city. We must not let the quality of city services deteriorate, and we must not position Lincoln as a failing or struggling city. I do not think this is a failing city, but we can make it fail if we do not choose to support the public services that are necessary to a decent, attractive, and desirable city.

I was dismayed to read a proposal to eliminate Bennett Martin Library's evening hours. Bennett Martin is the central library, with unique resources that are duplicated nowhere else in the system. When my son had a project for school or I had a project for a college class, Bennett Martin was where we had to go to find the resources we needed. And evenings were often the only time to go.

In fact, I hate to think of any cuts to the library budget, because I am an avid library user. I will make back the \$15 tax increase in just borrowing one book or CD or audiobook from the library. Yes, I also buy books from local businesses. But I could never afford to buy all the books I read or listen to. Besides the pleasure and enlightenment I find in recreational reading, I benefit from the information resources of the library. When I found myself suddenly cast as the executor for an estate, books from the library gave me a checklist of what I needed to do (and, in fact, gave me better, more accurate, advice than some of the professionals I consulted). When my son had to write college application essays, he consulted a library book about essay-writing that helped him think about unique events in his life that would spark meaningful essays. When I'm planning a trip, the library has guidebooks of all sorts. And the library staff helps me find my way to the resources I need.

In tough economic times, people need the public library more than ever. Not only is it a free source of recreation and information, it is a dignified and hopeful place for people to research their next job.

Cuts to the Lincoln Area Agency on Aging have also been very disturbing. As a long-distance caregiver, I have benefited from the caregiver support programs sponsored by the agency and have had a glimpse of the many excellent services they provide elderly residents in our community. I want to live in a city that offers a good quality of life to seniors.

I am sometimes surprised at which city services have the most impact on me personally. The improvements to Holmes Lake Park, specifically the pedestrian/bike trail encircling the lake, are a qualitative improvement in my life. This has become one of my favorite places to walk and bike and watch sunsets, and it offers quiet and beauty close to busy streets. It's a place where I take visitors, and they say, "Gee, this is great to have right in town!"

This tiny proposed 1-cent increase in property taxes still results in a loss of 65 full-time-equivalent positions from the city's work force, according to the *Journal Star*. When we hear that an employer is leaving town and 65 jobs will be lost, we are rightfully dismayed. But in that case there is usually nothing we can do. Here we can do something: We are the shareholders and we are the directors of the city of Lincoln. What will it take to keep those 65 jobs? Another half a cent, maybe? I would not balk at paying an additional \$7 a year for that purpose. How much does the city spend in expenses and incentives to lure employers to the capital? Why wouldn't we spend as much to keep city jobs---jobs that directly benefit the citizens of Lincoln.

I am not an employee of the city of Lincoln. None of my family are employees of the city of Lincoln. In fact, I'm not even aware of personally knowing any employees of the city of Lincoln. So I do not stand to benefit directly with a paycheck. I do stand to benefit by living in a decent city.

We should not let squeamishness about the phrase "tax increase" deter us from the sensible, pragmatic, responsible course of action: accepting a small increase that will have a big impact.

Yours truly,
June Carrell



DJ Auman
<djauman@neb.rr.com>

07/09/2008 10:54 AM

Please respond to
<djauman@neb.rr.com>

To <mayor@lincoln.ne.gov>

cc <council@lincoln.ne.gov>

bcc

Subject spending

We are writing about the incentive that you are giving to new homeowners. This doesn't sound right to us. You found extra money so we should give \$1,000 to new homeowners, who have been approved for a loan and can afford the new home. That money is benefiting a few people who have money to buy. In the meantime, you have projects cut that would help many people. That money should be used to benefit more than just a few people and builders. We need too many things repaired in Lincoln, such as sidewalks, just to name one. You need to use the money that Lincoln has, to help all people and not just a few.

Thank you for listening and we hope more thought is given to using this money.

Sincerely,

Dean Auman
Jo Ann Auman
4041 S 36th St
Lincoln, NE 68506

RECEIVED
July 8, 2008

3405 Holdrege Street-Apt. #102
Lincoln, NE 68503
Rdavisln8@aol.com

JUL 10 2008

**Re: Foolishness Breeds Stupidity Or
Penny-Wise and Dollar Foolish**

**Mayor Chris Beutler
Mayor's Office
555 South 10th Street
Lincoln, NE 68508**

**City Council
City Council's Office
555 South 10th Street
Lincoln, NE 68508**

**Mr. Abbott, Director/Mr. Worth-Mgr
StarTran-Public Works & Utilities
710 "J" Street
Lincoln, NE 68508**

Copied:

**Governor Dave Heineman
Office of the Governor
P.O. Box 94848
Lincoln, Nebraska 68509-4848**

RECEIVED

JUL 10 2008

CITY COUNCIL
OFFICE

Note: Please excuse any miss steaks
that I might have maid inn this
letter do to my pour eyesight.
Four I am just an engine-near
and thus due knot no any better.

Dear Mayor of Lincoln, City Council Members and StarTran Management:

While I try to make it a practice not to get involved in matters having to do with a city's budget and its plans for the future, in the subject matter that I am writing about within this letter I think I should. For while I was riding the Bethany StarTran bus this morning, I saw a notice that there is a hearing scheduled for Thursday, July 17th at the City Council's chambers at 555 South 10th Street in order to discuss some additional changes, (reductions), to the bus service that will be provided to those of us who live in Lincoln. And while this in and of itself did not bother me that much, what did bother me was one of the agenda items that I saw that was going to be discussed at this particular meeting. For with all of the inconveniences that those of us have had to suffer through lately associated with the various changes that the City of Lincoln has been making to its StarTran bus service, to even think that the City of Lincoln would reduce a lot of the current bus service being provided to the good citizens that live here by 4 hours during the midday of each weekday really upsets me a great deal. And thus, with the rising price of gasoline and the current economical problems that many of those who drive cars here in Lincoln are having, obviously it makes no sense to me at all why the City of Lincoln would be wanting to cut back its bus service right at the very time where the riders who take buses should be growing a lot in the near future. In fact, I met an elderly couple today who stated that this was the first time that they had ever rode on a StarTran bus. Or perhaps what we have here is a City Council and Mayor who have forgotten the promises that our most compassionate and just living God has promised us within **Proverbs 28:27**. For here it states in the New International Version of the **Holy Bible** "*He who gives to the poor will lack nothing, but he closes his eyes to them receives many curses.*". Or perhaps an even more relevant verse that I should give to you is the one from **Proverbs 14:31** which states "*He who oppresses the poor shows contempt for their Maker, but whoever is kind to the needy honors God.*". Now what you probably do not know about me, (except for perhaps Governor Heineman), is that I am about to give my understanding of some very important energy matters to certain key people who live here Nebraska concerning how an ill or injured person can be allowed to live a more normal life after having the injured or dysfunctional areas of this person's body stimulated in a much different way than anyone has ever used within the medical field before. And in addition, there are a number of other areas that my knowledge of virtual energy matters will be able to bring about a great amount of prosperity to whoever I work with in the future. But I am certainly not going to work with people from Nebraska who treat their more impoverished citizens in such a way that Mayor Beutler and the City Council are now treating them. So do you catch my drift here? If I see any more cuts in bus service for those in Lincoln who need to depend on buses for their main form of transportation, (even as I do), then it is "*goodnight Irene*" to my helping those in Nebraska who would like to work with the wisdom that God has given me in order for me to share with those who I like this wisdom too. This is what I am referring to when I titled this letter "*penny-wise and dollar foolish*".

Sincerely,

Ron Davis



OFFICE OF THE VICE PRESIDENT
WASHINGTON

October 16, 2006

Dear Mr. Davis:

I am writing on behalf of Vice President Dick Cheney to thank you for sending him medical procedures to stimulate the heart and increase recovery. These materials will be shared with the appropriate staff.

The Vice President appreciates your taking the time to share this information with him and he sends you his warmest regards.

Sincerely,

Jenny Rose Folsom

Jenny Rose Folsom
Special Assistant to the Vice President
for Correspondence

Mr. Ron Davis
3405 Holdrege Street # 102
Lincoln, Nebraska 68503-1471

United States Senate

WASHINGTON, DC 20510-2102

One Bowdoin Square
Tenth Floor
Boston, MA 02114
(617) 565-8519

December 6, 2004

Ron Davis
3405 Holdredge Street
Unite #102
Lincoln, NE 68503

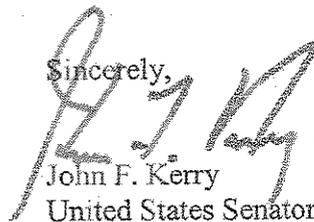
Dear Mr. Davis:

Thank you for taking the time to write my office with your concerns about the Alzheimer's and Parkinson's disease. I appreciate hearing from you.

Researching treatment and ultimately a cure for Alzheimer's and Parkinson's disease is a concern to all of us. I will continue to keep your thoughts and ideas in mind as I handle this topic in the future.

I appreciate hearing from you on this very delicate matter. Please feel free to write my office in the future on any other matter that is of importance to you.

Sincerely,



John F. Kerry
United States Senator

JFK/fbc



March 7, 2005

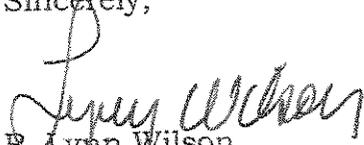
Mr. Ronald A. Davis
3405 Holdrege Street, #102
Lincoln, Nebraska 68503

Dear Mr. Davis:

I am responding to your letter of February 24, 2005. You obviously have put a lot of time and thought into your letter and I am very appreciative of your interest. I have read your letter very carefully and will take your thoughts and recommendations under advisement.

Again, I appreciate very much you taking the time to write to us to express your ideas and opinions.

Sincerely,


R. Lynn Wilson
President & CEO

RLW:jm



4720 Randolph St.
Lincoln, NE
68510

Phone
(402) 483-7671
(800) 267-2986

Web
www.tabitha.org

Home Care Specialties

Nursing &
Rehabilitation Center

Adult Day Services

Home Health Care

Case Management

Meals on Wheels

Intergenerational
Center

Rehabilitation

Pastoral Care

Hospice

Tabitha
Foundation

Tabitha Housing
Corporation

February 13, 2004

Ron Davis
3405 Holdrege Street
Apartment #101
Lincoln, Nebraska 68503

Dear Mr. Davis,

Thank you for your letter of February 6, 2004. I have spent a lot of time reviewing the insight and guidance you provided. It is always a gift to hear from family members on these matters, particularly from someone as involved in their loved one's care, as you are.

Staffing the Nursing Center is a complex and sometimes vexing endeavor. As you have stated, the staff work so hard, and mean so much to the residents and family members.

As we move through 2004, I will keep your words in my heart and in our planning as we consider any staffing changes.

Sincerely,


Joyce Ebmeier, Administrator
Tabitha Nursing & Rehabilitation Center

Copy: Fickenscher
file

WILLIAM H. FRIST, M.D.
TENNESSEE

<http://frist.senate.gov>

COMMITTEES:

Finance

Health, Education, Labor and Pensions

Rules and Administration

United States Senate

WASHINGTON, DC 20510-4205

August 27, 2004

Mr. Ron Davis
3405 Holdrege Street, Apartment 101
Lincoln, NE 68503

Dear Mr. Davis:

Thank you for contacting me regarding health issues. It is an honor to serve you as Majority Leader of the United States Senate and a privilege to respond to your concerns.

As a heart and lung transplant surgeon, my life has been dedicated to improving individuals' lives through advances in health care. As Majority Leader of the United States Senate, I am able to take the principles I learned as a physician-- themes such as "First, do no harm" and the principle that the foremost concern is the health of one's patient and apply them to my work on health care reform. While I continue to treat patients on an individual basis, I now have the privilege of being able to treat the collective health of the nation.

Communicating with Americans is extremely important to me, and therefore I greatly appreciate you taking the time to share your thoughts. As a member of the Senate Committee on Health, Education, Labor, and Pensions (HELP), I closely monitor all health-related legislation. As a member of the Senate Committee on Finance, I continue to deal with Medicare and making health insurance affordable for more Americans. As we continue to examine these important issues, I will certainly keep your thoughts in mind.

Again, thank you for taking the time to contact me. I appreciate hearing your thoughts on this important issue and I hope you will continue to share your thoughts and concerns with me throughout my tenure in the United States Senate.

Sincerely,



William H. Frist, M.D.
Majority Leader
United States Senate

P.S. Please visit <http://frist.senate.gov> to register for my mail newsletter.



DEPARTMENT OF HEALTH & HUMAN SERVICES

National Institutes of Health
National Institute of Neurological
Disorders and Stroke

Bldg. 31, Room 6A-67
31 Center Drive MSC 2540
Bethesda, Maryland 20892-2540
Phone: (301) 496-5751
Fax: (301) 482-2186

June 28, 2004

Mr. Ron Davis
3405 Holdrege Street, Apartment #102
Lincoln, Nebraska 68503

Dear Mr. Davis:

This letter is in response to your correspondence of June 23 to Dr. Audrey S. Penn, Deputy Director of the National Institute of Neurological Disorders and Stroke (NINDS), and others concerning your theories about a cure for Alzheimer's and Parkinson's disease.

Many people write to us with their theories about cures for a variety of medical topics but, while the NINDS appreciates the willingness of people to share their concepts and findings, we are not able to evaluate such material *except* under very specific circumstances, such as when it is contained in a grant application. As we mentioned in our November 26, 2003, letter to you, the NIH grant system is primarily investigator-initiated; that is, individual scientists working at academic, medical, and other biomedical research institutions submit detailed proposals on a broad range of neurological research to the NINDS, depending on the individual scientist's own area of interest. (However, the grant is actually awarded to the institution, not to an individual.) As we indicated in our earlier response, if you can identify scientists affiliated with one of these types of institutions who have an interest in conducting research on your theories, they are welcome to apply for a research grant. The enclosed booklet, *Extramural Research and Training Awards*, outlines areas of NINDS research interest and the procedure for applying for funding. Application forms are available on the Internet at <http://grants.nih.gov/grants/funding/phs398/phs398.html#toc>.

We hope this information is helpful.

Sincerely,

Office of Communications and Public Liaison



DEPARTMENT OF HEALTH & HUMAN SERVICES

National Institutes of Health
National Institute of Neurological
Disorders and Stroke

Bldg. 31, Room 8A-07
31 Center Drive MSC 2540
Bethesda, Maryland 20892-2540
Phone: (301) 496-5751
Fax: (301) 402-2186

November 26, 2003

Mr. Ron Davis
3405 Holdrege Street, Apartment #101
Lincoln, Nebraska 68503

Dear Mr. Davis:

Department of Health and Human Services (DHHS) Secretary Tommy Thompson has asked me to thank you for your letters and to respond directly to you. The National Institute of Neurological Disorders and Stroke (NINDS), a component of the National Institutes of Health (NIH), is the DHHS agency with primary responsibility for research on disorders of the brain and nervous system.

In your letters, you wrote about your research on Parkinson's disease and also referred to your work aimed at finding cures for epilepsy and Alzheimer's disease. You have clearly spent considerable time and effort in developing your theories, and your desire to share information that may contribute to a greater understanding of and a cure for Parkinson's disease is certainly understandable. Many people write to the NIH with their ideas about a variety of medical topics. While the NINDS appreciates the willingness of people to share their concepts and findings, the Institute is not able to evaluate such material except under very specific circumstances, such as when it is contained in a grant application.

It may interest you to learn that research supported through the NIH grant system is primarily investigator-initiated. Individual scientists working at academic, medical, and other biomedical research institutions submit detailed proposals on a broad range of neurological research to the NINDS, depending on the individual scientist's own area of interest. If you can identify scientists affiliated with one of these types of institutions who have an interest in conducting research on your theories, they are welcome to apply for a research grant. The enclosed booklet, *Extramural Research and Training Awards*, outlines areas of NINDS research interest and the procedure for applying for funding.

If you or another member of your family has access to the Internet at home, work, or a public library, you can search for research articles on Parkinson's disease and identify researchers in this field by using PubMed, which provides free access to an online bibliographic database of published biomedical literature from the National Library of Medicine (NLM). You can access PubMed at <http://www.ncbi.nlm.nih.gov/PubMed>. The search strategy "Parkinson disease AND Lewy bodies" is just one possible starting point to find articles. To obtain copies of any articles identified by your search, you may need the assistance of a librarian at the nearest university or medical library. Alternatively, the NLM offers a service called Loansome Doc that allows PubMed users to order a copy of any article they locate in the database directly from the Internet. General information about PubMed is enclosed.

We have also enclosed materials that provide an overview of NINDS research on Parkinson's disease. Information on autism and encephalitis is included because you mentioned these topics as well.



August 28, 2002

Mr. Ron Davis
Colorado Environmental Company
3405 Holdrege Street #101
Lincoln, NE 68503

Dear Mr. Davis:

Your FAX of August 14, 2002 to Secretary Tommy Thompson was forwarded to the National Institute on Aging (NIA) at the National Institutes of Health (NIH) for a response. As the Director of the NIA, which leads the Federal research effort on Alzheimer's disease (AD), I am happy to respond to the issues you raised regarding brain neurotransmitters and enzymes and their relationship to Alzheimer's disease.

The NIA supports a broad spectrum of research on Alzheimer's disease (AD) and other dementias commonly associated with aging. We have a long-standing commitment to the investigation of cholinergic mechanisms important for normal memory function and the cholinergic deficits associated with loss of memory in AD. The cholinergic hypothesis for AD states that the decline in cognitive functions in dementia is predominantly related to a decrease in cholinergic neurotransmission. This hypothesis has led to great interest in the putative involvement of the cholinergic neurotransmission in learning and memory processes. There is marked loss of choline acetyltransferase activity, especially in the hippocampus. This alteration parallels the intensity of neuropathological damage and relates to cognitive impairment. AD involves neuronal degeneration with impaired cholinergic transmission in the cerebral cortex and hippocampus, the areas of the brain particularly associated with memory and higher intellectual functioning.

Other neurotransmitter deficits also occur, but the mechanisms underlying the widespread impairment of synaptic functions remain uncertain. Research on the molecular basis of AD has elucidated a number of pathogenic pathways from which a range of potential pharmacological interventions has emerged. Based on the cholinergic hypothesis, at least 3 cholinesterase enzyme inhibitors (tacrine hydrochloride, donepezil, and rivastigmine tartrate) are now available and provide patients with modest relief. However, many scientists believe that the most promising strategies to treat AD involve approaches to retarding, halting, or preventing the formation or accumulation of beta-amyloid (Abeta) in the neuritic plaques, a prominent feature of AD. Strategies to limit or eliminate deposition production or accumulation of Abeta are being hotly pursued by academic scientists and pharmaceutical companies.

Among the hormones, estrogen is believed to have antioxidant or other effects, as hormonal replacement therapy in women with menopause is associated with a reduced risk or delayed onset of AD. However recent studies have indicated some risks with the use of estrogen and these studies are being reevaluated. The association between nonsteroidal anti-inflammatory drugs and a reduced risk of AD has not yet been confirmed, but these agents may protect the brain from the reactive glial and microglial responses associated with Abeta deposition. Also, studies have suggested that antioxidants, such as vitamin E taken alone or in combination with selegiline hydrochloride, can delay the progression of AD.

Despite initial encouraging results, no current therapy has been shown to halt or reverse the underlying disease process. The proof of the principle that anti-Abeta drugs will work in animal models of AD is eagerly awaited, and if positive effects are seen in these animal models, translation to clinical trials in humans will follow. Research in all of these areas is rapidly progressing and broad approaches to the neurodegenerative diseases such as AD and Parkinson's disease are likely to yield a better understanding of the underlying pathobiology and suggest new strategies for therapeutic intervention.

Once again, thank you for bringing your concerns to our attention. The NIA shares your belief in the importance of research on Alzheimer's disease and agrees with you that a broad research approach is the best strategy. For additional information about AD research at the NIH, I have enclosed a copy of the most recent Alzheimer's Disease Progress Report.

Sincerely,

Richard J. Hodes, M.D.
Director



National Institutes of Health
National Heart, Lung, and
Blood Institute
Bethesda, Maryland 20892

JUN 04 2002

Mr. Ron Davis
CEO
Colorado Environmental Company, Inc.
P.O. Box 5431
Lincoln, Nebraska 68505-5431

Dear Mr. Davis:

Your letter of May 1 to Secretary Thompson concerning pulmonary fibrosis was forwarded to me as Director of the National Heart, Lung, and Blood Institute (NHLBI). I want to thank you for your insights into pulmonary fibrosis. The NHLBI supports an extensive research program on the pathogenesis and treatment of pulmonary fibrosis, including the role of inflammation and oxidants. We also support a large program of basic and clinical research related to nitric oxide, and the application of nanotechnology. Enclosed are three publications from our programs that may be of interest to you:

1. Crapo, J. D., Harmsen, A. G., and Sherman, M. P., Pulmonary Immunobiology and Inflammation in Pulmonary Diseases; Am J Respir Crit Care Med 2000; 162, 1983-1986.
2. Mason, R. J., Schwartz, M. I., Hunninghake, G. W., and Musson, R. A., Pharmacological Therapy for Idiopathic Pulmonary Fibrosis; Am J Respir Crit Care Med 1999; 160, 1771-1777.
3. Fact Sheet on Idiopathic Pulmonary Fibrosis, NIH Publication No. 93-2997, 1993.

We are also attempting to stimulate new research in this area with the recent release of a new program on molecular targets and interventions for pulmonary fibrosis. We are hopeful that this program will provide a better understanding and new approaches to treating this devastating disease. Again, thank you for your comments on this topic.

Sincerely yours,

Claude Lenfant, M.D.
Director

Enclosures

**ADDENDUM
TO
DIRECTORS' AGENDA
MONDAY, JULY 14, 2008**

I. MAYOR -

1. NEWS ADVISORY - RE: Mayor Beutler's Public Schedule Week of July 12 through July 18, 2008 - Schedule subject to change.
2. E-Mail Memo & Material from Mayor Beutler - RE: Home Owner's Stimulus Program (Forward to Council on 07/11/08)
3. E-Mail Material from Mayor Beutler - RE: Parks & Recreation Ordinance changes.
4. NEWS RELEASE - RE: Public Invited To Open House On Storm Drain Construction.

II. CITY CLERK - NONE

III. CORRESPONDENCE -

A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

B. DIRECTORS AND DEPARTMENT HEADS -

BUILDING & SAFETY -

1. Letter from Mel Goddard to Mike Morosin and Attached Letter - RE: Illegal Construction.

C. MISCELLANEOUS -

1. Media Release from Lori Seibel, Community Health Endowment - RE: Graduates of Project A.L.L. (Academy for Local Leadership) Announced.
2. E-Mail from Julie Banks - RE: The Mayor's proposed budget service revisions are being heard on Thursday, July 17th.



NEWS ADVISORY

MAYOR CHRIS BEUTLER

lincoln.ne.gov

DATE: July 11, 2008

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

Mayor Beutler's Public Schedule
Week of July 12 through 18, 2008
Schedule subject to change

Monday, July 14

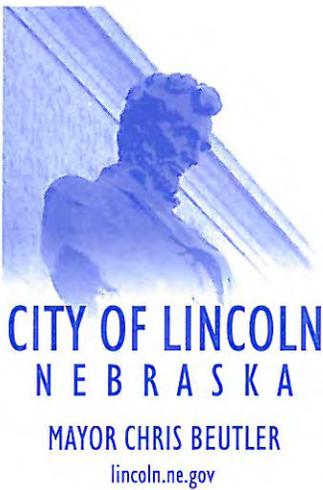
- Executive Club of Lincoln luncheon, remarks - noon, The Nebraska Club, 233 S. 13th St., Suite 2000
- Mayor's Award of Excellence presentation - 1:30 p.m., Council Chambers, County-City Building, 555 S. 10th St.

Wednesday, July 16

- Updowntowners Special Downtown Performance Series (performance by Metales M5) - 11:45 a.m., Lincoln Community Foundation Gardens, 1415 "N" St.

Thursday, July 17

- KFOR Morning Show - 7:45 a.m.
- Opening of "Music Man" at Pinewood Bowl, remarks - 7:45 p.m., Pioneers Park



Office of the Mayor
555 South 10th Street
Suite 208
Lincoln, Nebraska 68508
402-441-7511
fax: 402-441-7120
mayor@lincoln.ne.gov

To: City Council
From: Mayor Beutler 
Date: July 11, 2008
Re: Home Owner's Stimulus Program

Attached is a draft plan for the Home Owner's Stimulus Program. As you may recall, my budget proposes using the \$610,000 of leftover stormwater bond money to make debt service payments on outstanding bonds. That, in turn, will free up \$610,000 in tax dollars, which I propose as the funding source for this one-time program.

I have met with several groups to discuss the parameters of the program, and I have appreciated their expertise and input. I am also very interested in your thoughts and would like to add it to the discussion list for next week's meetings. If you have any questions in the meantime, please feel free to give Denise (441.8044) a call.

Thank you, and I look forward to our discussions next week.

F:\FILES\MAYOR\2008,MayorBeutler,Letters,Speeches,Memos\CouncilMemo,HomeOwnersStimulus,7.11.08,dkp.wpd

Home Owners Stimulus Plan

	New Construction	First-Owner Occupied	Pre-Owned Homes
Criteria	Purchase agreement executed after the effective date of ordinance creating the plan Purchase price of home is at or below \$300,000	“New” homes that (1) have never been owner-occupied, and (2) for which the building permit was executed before the effective date of the ordinance creating the plan Purchase price of home is at or below \$300,000	All other homes on the market Purchase price of home is at or below \$150,000
Amount of Credit	\$2,000	\$1,500	\$1,000
Other			\$100,000 maximum

General

- The \$610,000 is available to all three categories (with the \$100,000 limit on “pre-owned home” applications).
- To qualify, the home must be (1) owner-occupied, and (2) a detached single-family dwelling (this does not include duplexes or townhouses).

- The credit will go to homeowners directly.
- Applicants can “reserve” the credit by (1) completing an application form, and (2) submitting a purchase agreement.
 - Applications will be processed on a “first come, first serve” basis. Applications will be date and time stamped upon receipt.
 - The application will include language indicating the homeowner’s intent to spend the credit check locally.
 - A reservation will hold the credit for one year.
- A check will be cut post-closing after the applicant submits a transfer statement.
- The program will be in effect until March 28, 2009 [assuming an effective date around October 1, 2008], or until the \$610,000 is committed, whichever comes first.
- General administration
 - We will need a simple application form/simple summary sheet of the program for public education purposes. We will rely heavily on the private sector to promote the program.
 - The program administrator will update the public daily, via the City’s website, regarding the amount of funds “reserved” and the amount of funds yet available.
 - \$20,000 of the \$610,000 will be said aside for contingency purposes.

12.08.270 Alcoholic Liquor Prohibited; Exceptions and Permit Requirements.

- (a) It shall be unlawful for any person to consume or to possess any alcoholic liquor in any park, except when sold and dispensed by a person holding a catering license or other proper license issued by the Nebraska Liquor Control Commission in or on the following:
- (1) The retail licensed premises consisting of the clubhouse area of golf courses and outdoor areas of any 18-hole golf course;
 - (2) The premises of Folsom Children's Zoo and Lincoln Children's Museum in conjunction with fundraising activities occurring when the zoo or museum are not otherwise open to the public;
 - (3) The premises of Hazel Abel Park, Stransky Park, Sunken Gardens, Antelope Park Rose Garden, Pioneers Park Nature Center, or any other park, as approved by the Mayor after consultation with the City Council, in conjunction with Parks and Recreation Department sponsored events and/or non-profit fundraising activities to benefit the Parks and Recreation Department. Fundraising activities are limited to non-profit organizations specifically organized to benefit the Parks & Recreation Department. Fundraising activities shall only be allowed to occur when the premises are not otherwise open to the public;
 - (4) The premises of Pinewood Bowl for up to four Parks & Recreation Department sponsored events per year; or
 - (5) Within the building premises of Auld Recreation Center, Easterday Recreation Center, and the Prairie Buildings at the Pioneers Park Nature Center during private building rentals and when the premises are not otherwise open to the public.
- (b) The Director shall promulgate rules and regulations for the selling and dispensing of alcohol as allowed by this ordinance.



NEWS RELEASE

MAYOR CHRIS BEUTLER

lincoln.ne.gov

PUBLIC WORKS AND UTILITIES DEPARTMENT

Engineering Services, 531 Westgate Blvd., Lincoln, NE 68508, 441-7711, fax 441-6576

FOR IMMEDIATE RELEASE: July 11, 2008

FOR MORE INFORMATION: Jennifer Thompson, Engineering Services, 441-5671

PUBLIC INVITED TO OPEN HOUSE ON STORM DRAIN CONSTRUCTION

The public is invited to an open house from 5 to 6:30 p.m. Thursday, July 17 in the Pius X High School commons area, 6000 "A" Street, on upcoming construction from 53rd to 55th streets on Sumner Street and along Circle Drive.

The projects include the installation of additional storm drainage pipe and inlets along Sumner Street and Circle Drive. Construction is expected to begin in August.

Representatives from the City of Lincoln, the construction contractor, and HWS Consulting Group will be on hand to answer questions.

For more information, the public can call Jennifer Thompson, Public Works and Utilities, 441-5671.

More information on this and other City Public Works and Utilities construction projects is available on the City Web site at lincoln.ne.gov (keyword: projects).



CITY OF LINCOLN
NEBRASKA

Building and Safety Department
Mike Merwick, Director
555 South 10th Street
Room 203
Lincoln, Nebraska 68508

402-441-7521
fax: 402-441-8214
bldgsafe@lincoln.ne.gov



LINCOLN
The Community of Opportunity

MAYOR CHRIS BEUTLER

lincoln.ne.gov

July 11, 2008

Deliver by Sheriff

RECEIVED

Mike Morosin
1500 N 15th St
Lincoln NE 68508

JUL 11 2008

CITY COUNCIL
OFFICE

Re: Illegal Construction

Dear Mike Morosin,

Inspection of the premises at 1500 N. 15th Street found that you are in violation of the Stop Work Order of February 5, 2008 (copy attached). Before any work is to proceed the building and flood plain applications must be approved and the permits issued.

The Stop Work Order of February 5, 2008, specified the deficiencies that needed to be corrected before the permits can be issued. The violations are being forwarded to the City Attorney for further action.

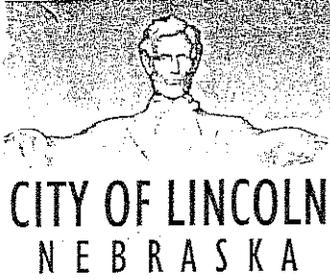
Sincerely;



Mel Goddard
Chief Building Inspector
441-6423

pc: City Council Members, Council Office
Mayor Beutler, Mayor's Office
John McQuinn, City Attorney, Law Dept
Mike Merwick, Director, Bldg & Safety Dept.
Chuck Zimmerman, Bldg Services Manager, Bldg & Safety Dept
Dale Stertz, Chief Plans Examiner, Bldg & Safety Dept

krekmc



Building and Safety Department
Mike Merwick, Director
555 South 10th Street
Room 203
Lincoln, Nebraska 68508

402-441-7521
fax: 402-441-8214
bldgsafe@lincoln.ne.gov



MAYOR CHRIS BEUTLER

lincoln.ne.gov

February 5, 2008

CERTIFIED MAIL

Mike Morosin
1500 N 15th
Lincoln, NE 68508

Re: Pending garage building permit application

Dear Mr. Morosin,

On February 4, 2008, a meeting was held at the construction site with Building Inspector Todd Stutzman and yourself. The purpose of this meeting was to verify the size of footings that were already poured for a pending garage permit. Also, you came to our office and dropped off additional information, which I had requested from my November 9, 2007 review of your plans for the proposed garage.

Our findings from these two occasions have revealed the following comments:

1. The footings will not comply with required frost protection, per the calculated flood plain storage volume pool grading plan. Please provide additional information on how you propose to meet this requirement.
2. The truss detail that was submitted will not comply with required eave separation between house and garage. Please provide additional information on how you propose to meet this requirement.

The following are still needed for us to complete our review of your plans:

1. How roof structure will be attached to wall to comply with code requirements
2. Header sizes over proposed openings to comply with code requirements
3. Clarify height of building to comply with code requirements

Until these issues have been addressed, approved, and a building permit issued, this letter will serve as notice to stop all construction on this project.

Sincerely,

Dale Stertz
Chief Plans Examiner

pc: Joel Pedersen, Legal Council, JAVA
Dave Landis, Director, Urban Development
Mike Merwick, Director, Bldg & Safety Dept.

Chuck Zimmerman, Building Services Manager, Bldg & Safety Dept.
Todd Stutzman, Building Inspector, Bldg & Safety Dept.
File F:\FILES\BUILDSAF\WP\ADMIN\aaa temp\stertz letter 1500 N 15th certified.wpd



Media Release

To: Media

CC: Mayor's Office, Lincoln City Council

From: Lori Seibel, President/CEO, 436-5516
Community Health Endowment

Date: July 11, 2008

Re: Graduates of Project A.L.L. (Academy for Local Leadership) Announced

Graduates of PROJECT A.L.L. Announced

In March 2008, 13 Lincoln-Lancaster County citizens were selected as the inaugural class of Project A.L.L. (Academy for Local Leadership), a local effort to create more racial and ethnic diversity on non-profit and governmental boards and commissions. As participants, these dedicated individuals attended four, day-long sessions that focused on learning and leadership styles, health and human services, roles and responsibilities of board service, and an expanded network of personal and professional contacts. These community stakeholders have now pledged service on local boards and commissions. Project A.L.L. is also committed to providing education to community agencies about the recruitment and retention of traditionally under-represented groups and the value of their cultural and community insights.

Project ALL is a project of the Community Health Endowment of Lincoln, Leadership Lincoln, Inc., and the Mayor's Office of the City of Lincoln. For further information about the program or its participants, please contact Leadership Lincoln, Inc. at 402.441.4661 or CHE at 402.436.5516.

Photo Available upon request.

• Page 1



WebForm
<none@lincoln.ne.gov>
07/13/2008 12:05 PM

To General Council <council@lincoln.ne.gov>
cc
bcc
Subject InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: Julie Banks
Address: 3157 N. Hill Rd #102
City: Lincoln, NE 68504

Phone: 402-261-4338
Fax:
Email: Pezcara@aol.com

Comment or Question:

It has come to my attention that the Mayor's proposed Budget service revisions are being heard on Thursday, July 17th. I am unable to attend this meeting due to the hour in which it is being conducted and would be unable to obtain a bus ride home.

It is ironic that the city council is once again being asked to make changes to our bus system. I hope this time the city council and the mayor will listen to public input. The last time these meetings were held, I felt that we were not seriously taken, and indeed you approved a system that does have MAJOR FLAWS. However, that said I oppose any reduction of midday fixed routes

This would impact people trying to get to doctors appointments, work, school etc. Before changing the system I would like the City Council to ride the bus for a month. They would then understand what those of use who are riding the bus are dealing with on a day to day basis.

There are alternatives, that for some reason, the City of Lincoln seems unwilling to consider.

Raise the Rates. A . 25 cent raise in the bus rate would be amicable to a lot of people instead of cutbacks (you can still keep the ride for five program for the poor)

Start using or buying smaller vans to use in the residential areas you can transport these people to main hubs

Put the bus system on a grid, and start using right turn only policy like some of the package delivery trucks do. They have found that that to be very economical.

The city council would be wise to consider also that GAS isn't going to go down in price. More people will be forced into using the bus system even, if they have never depended upon the system in previous years.

Once again I must state: You the City Council must start to look to the future. Foresight is an absolute must for any elected public figure. We must start to treat Lincoln as a City. We must have a Mass Transportation system to move the masses to and from work, school, doctors appointments and events held in the city.

If you want Lincoln to grow into the city it can be, you need to have a viable transportation system.

Julie Banks
Bus Rider!
3157 N. Hill Rd # 102
Lincoln NE 68504
402-261-4338
Pezcara@aol.com