

**DIRECTORS' MEETING
MONDAY, NOVEMBER 7, 2005 - 11:00 A.M.
CONFERENCE ROOM 113**

I. MAYOR

1. NEWS RELEASE - RE: Mayor To Dedicate Liberty Bell On Veterans Day-Seabees Memorial also to be dedicated at Veterans Memorial Garden- (See Release)
2. Washington Report - October 28, 2005.

II. DIRECTORS

COUNTY COMMISSIONERS

1. Letter from Larry Hudkins, Chair, County Board of Commissioners to Mayor Coleen Seng - RE: Village of Emerald Water Problem - (See Letter)

PLANNING

PLANNING COMMISSION FINAL ACTION.....

1. Special Permit #1883A, an amendment to the Stevens Creek Pointe Community Unit Plan (North 134th and Adams Streets) Resolution No. PC-00957.
2. Special Permit #05048 (4th & F Streets) Resolution No. PC-00958.

WOMEN'S COMMISSION

1. NEWS RELEASE - RE: Movies Are For Mommies - And Daddies, Too!!- Lincoln/Lancaster Women's Commission coordinates discount movie program for parents of small children -(See Release)

III. CITY CLERK

IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE

JON CAMP

1. E-Mail from Roger Bratt sent to Jon Camp - RE: In Support of the new Wal-Mart & residential development, proposed for northeast Lincoln at 84th & Adams Streets - (See E-Mail)

V. MISCELLANEOUS -

1. E-Mail from John May - RE: Group Homes - (See E-Mail)
2. E-Mail from Bob Stewart - RE: Event Center -(See E-Mail)
3. Letter from Pat Raybould, President, B&R Stores, Inc. - RE: The north 84th Street Wal-Mart development -(See Letter)
4. E-Mail from Vicky Valenta - RE: Lincoln Main Post Office -(See E-Mail)
5. E-Mail from Tony Stemick - RE: Possible solution for Emerald's water situation -(See E-Mail)
6. E-Mail from Bob Hampton - RE: The Emerald water problem -(See E-Mail)
7. E-Mail from Rhiannon Sanford - RE: The proposed ordinance to limit where convicted sex offenders can live within the City of Lincoln -(See E-Mail)
8. Letter from Stuart R. Long - RE: Writing as a member of the Mayor's Cable TV Advisory Board who has reservations about the new franchise agreement -(See Letter)
9. E-Mail from Sharon Miller-Received on City Council InterLinc Action Center - RE: Beal Slough -Hwy 2 off of Southwood Drive -(This has been received by Public Works and they are responding) (See E-Mail)

VI. ADJOURNMENT

da110705/tjg



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

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

FOR IMMEDIATE RELEASE: October 27, 2005

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

Keith Fickenscher, Veterans Day Committee, keithf@tabitha.org

Julie Watson, Parks and Recreation, 441-7847

MAYOR TO DEDICATE LIBERTY BELL ON VETERANS DAY

Seabees Memorial also to be dedicated at Veterans Memorial Garden

Mayor Coleen J. Seng will dedicate the Nebraska Liberty Bell as part of a public Veterans Day program at 11 a.m. Friday, November 11 at the Veterans Memorial Garden in Antelope Park. State Adjutant General Roger Lempke will be the keynote speaker for the program, which will include the dedication of the first Seabees Memorial in the State.

“The City’s Veterans Memorial Garden is the perfect place to observe Veterans Day and to reflect on the sacrifices our nation’s soldiers have made for freedom and liberty around the globe,” said Mayor Seng. “The addition of the Nebraska Liberty Bell and the Seabees Memorial will further enhance this place of honor.”

The history of the Nebraska Liberty Bell goes back to 1950, when the U.S. Department of the Treasury commissioned the casting of 55 full-sized replicas of the original Liberty Bell. The promotion was part of a savings bond drive with the slogan, “Save For Your Independence.” The bells were given to the states and territories to be displayed and rung during patriotic observances. Nebraska’s bell was in storage until this summer, when it was on display at Lincoln’s Haymarket Park for the 2005 baseball season. With the help of the Veterans Memorial Garden Advisory Committee, the Lincoln Parks and Recreation Department, the Nebraska Army National Guard and the Lincoln Cares Program, the Nebraska Liberty Bell will now have a permanent place of honor near the Veterans Memorial Garden.

Seabees were created as part of the Navy from the civilian construction workers following the 1941 attack on Pearl Harbor. The name “Seabees” is derived from the acronym for “construction battalion.” Seabees have a vital role in disaster relief efforts. The program will include the Sesostri Shrine Chanters singing the “Seabee Song”

For one-half hour before and after the ceremony, Edwin Mukusha will perform a medley of songs on the bagpipe. The program also includes Zuri singing the “National Anthem” and “God Bless America” and a special presentation by the Stars and Stripes Sertoma Club. Those attending are encouraged to bring their own seating. If the weather is bad, the program will be moved to the Auld Recreation Center just west of the Veterans Memorial Garden.



HOUSE PANEL APPROVES EMINENT DOMAIN BILL

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Washington Report

Archived at:
[www.capitaledege.com/
archive.html](http://www.capitaledege.com/archive.html)

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EMINENT DOMAIN

House committee approves bill restricting eminent domain use. The House Judiciary Committee approved the "Private Property Rights Protection Act of 2005" (HR 4128) by 27-3. Introduced by Chairman James Sensenbrenner (R-WI), the bill appears to reflect a compromise with Rep. Henry Bonilla (R-TX), whose own eminent domain bill (HR 3405) was approved by the House Agriculture Committee on October 7.

The bill provides that if any state or local government receives Federal economic development funds in a given fiscal year, then that government is prohibited from exercising eminent domain for economic development in that fiscal year. State and local governments that violate the prohibition forfeit their Federal economic development funds for the two years following the violation. Property owners also have seven years to challenge governments and their eminent domain uses in court.

Economic development is defined in HR 4128 as taking private property and "conveying or leasing such property from one private person to another private person or entity for commercial enterprise carried on for profit, to increase tax revenue, tax base, employment, or general economic health." Abandoned property and property needed to build roads, hospitals, and military bases would not be included in the definition of economic development and would, therefore, be permissible uses of eminent domain. By amendment, private property that poses an immediate threat to public health and safety or property for use by a public utility would also be excluded from the definition of economic development.

In an indication that House leadership favors this measure over a number of competing

bills on this subject, the full House is expected to consider HR 4128 next week. Meanwhile, Senator John Cornyn (R-TX) has sponsored a companion bill (S 1313). While the Senate Judiciary Committee has held hearings on the bill, there is no indication of when the committee plans to markup the bill. In addition, both the Senate and House have approved restrictions on eminent domain in their versions of the FY 2006 Transportation-Treasury-HUD appropriations bill (see October 21 *Washington Report* for additional details).

BUDGET

House committees approve parts of reconciliation package. Several House committees this week considered sections under their jurisdiction of budget reconciliation legislation. House leadership is pressing for a reconciliation package that would result in \$50 billion in savings, as opposed to \$39.1 billion in savings for which the Senate has plans.

Reconciliation is a filibuster-protected process that involves realizing savings from mandatory and entitlement programs that cannot be cut through the annual appropriations process. Earlier this year, Congress approved its FY 2006 budget resolution that recommended that House committees come up with \$35 billion in savings, but House leaders recently relented to pressure from conservatives in their caucus to increase that amount to \$50 billion. However, efforts thus far to amend the budget resolution have been unsuccessful, leading some to believe that many moderate Republicans are uncomfortable making cuts to programs that assist the poor, particularly in the immediate aftermath of devastating hurricanes.

Some highlights of the House committee action on reconciliation include:

- The Energy and Commerce Committee creating a hard date of December 31, 2008 for broadcasters to vacate broadcast spectrum and switch to digital broadcasting. The panel would direct most of the revenues realized from selling that spectrum to deficit reduction, while the Senate would allocate some of those funds to interoperable communications grants (see October 21 *Washington Report* for additional details).
- The House Education and Workforce Committee included reauthorization of the 1996 welfare law in its proposal. The plan would increase the amount of hours per week recipients must work, while providing an additional \$1 billion over five years for child care. The Senate has been cool to the idea of including welfare in reconciliation, and also supports adding \$6 billion in child care funds over the next five years (see September 9 *Washington Report* for additional details).
- The House Resources Committee proposed opening up the Arctic National Wildlife Reserve (ANWR) in Alaska to oil and gas drilling, and allowing states to opt out of a moratorium on oil and gas exploration of the Outer Continental Shelf.
- The House Agriculture Committee would cut the federal food stamps program by \$844 million over five years, almost \$200 million more than was requested by the White House. Many believe this will have a difficult time passing the House.

The House is likely to take up the entire reconciliation package on the floor the week prior to Thanksgiving. The Senate plans on considering its reconciliation package on the floor next week, and a number of the House recommendations are expected to be opposed by that chamber in subsequent conference committee negotiations over the plan.

HOUSING AND CD

House approves GSE reform bill, turns back efforts to amend affordable housing program. The House approved legislation (HR 1461) this week to reform quasi-federal mortgage giants Fannie Mae and Freddie Mac, as well as the 12 Federal Home Loan Banks – also known as Government Sponsored Enterprises (GSEs).

In order to garner bipartisan support for the measure, authors included the creation of an affordable housing fund in the bill, to be funded with a percentage of GSE profits each year. However, prior to floor consideration of the bill, a group of House conservatives objected to the fund, claiming that it would be used as a slush fund to lobby for Democratic causes.

In order to appease opponents of the fund, bill sponsors included language in the bill that would prevent non-profit organizations accepting assistance from the fund from being involved in voter registration efforts.

A coalition of almost 700 civil rights, community development, and religious groups objected vehemently to the language, claiming that it was unconstitutional, violated the 1993 “Motor-Voter” law that requires some non-profits to engage in voter registration, and would prohibit a host of faith-based groups from receiving funds from the new program. The protests fell on deaf ears, as the House Rules Committee rejected an effort to offer an amendment to the bill to strike the language, and procedural efforts to recommit the bill back to the Financial Services Committee were defeated along party lines.

The compromise on the affordable housing fund also reduced the percentage of GSE annual profits going into the fund from 5 percent to 3.5 percent in the first two years of the fund, and would sunset the fund after five years. In addition, eligible residents who lost their homes in the recent hurricanes would receive priority for the program in the first two years of the fund.

Ultimate passage of the bill is unlikely this year, as the Senate has not shown any urgency in considering its companion bill, and the White House has objected to a number of provisions in the House bill.

HUMAN SERVICES

Senate passes Labor-HHS-Education Appropriations bill. By a vote of 94-3, the Senate approved the FY 2006 Departments of Labor, Health and Human Services and Education Appropriations bill (HR 3010). The measure, which is the largest non-defense appropriation bill and usually the most controversial, was the last of the annual appropriations bills to pass the Senate.

Debate on the bill took up the better part of the week as Senators tried, generally unsuccessfully, to add spending for a wide variety of social service, health and education programs. Most notably, the Senate defeated, 46-53, an amendment offered by Senator Judd Gregg (R-NH) to increase funding for the Low-Income Home Energy Assistance Program by \$1.276 billion. The Senate version of the bill would provide \$2.183 billion for the program, the same as last year. Many lawmakers, particularly those from the Northeast, argue that skyrocketing natural gas prices and predictions for a colder than average winter will require additional funding.

Senators unanimously approved an amendment offered by Senator Tom Harkin (D-IA) to provide \$7.9 billion in emergency spending for pandemic flu preparedness. As emergency spending, the funds are not subject to budget limits. The size of the appropriation and its unanimous approval by the Senate after little debate illustrates the growing concern among lawmakers that avian flu could lead to a pandemic that kills millions of people. The funding provided by the Harkin amendment would be distributed as follows:

- \$3.68 billion, including \$600 million in grants to state and local public health agencies, to stockpile antiviral drugs and other medical supplies;
- \$60 million for global surveillance

related to avian flu;

- \$3.3 billion for vaccine research and infrastructure;
- \$750 million to improve hospital surge capacity and networks to improve detection of flu outbreaks;
- \$100 million for CDC research and lab capacity, and
- \$10 million for surveillance of migratory birds.

Earlier this fall, the Senate approved a similar amendment to the Defense appropriations bill (HR 2863), also offered by Harkin, to provide \$3.9 billion in emergency spending to prepare for pandemic flu. That bill is still pending.

The Senate also approved an amendment offered by Senator John Sununu (R-NH) to increase funding for community health centers by \$199 million, to \$2 billion, by proportionally reducing funding for all other programs included in the bill.

The bill now goes to a House-Senate Conference Committee to be reconciled with the House version of the bill. Given the contentious social issue debates that annually center on this bill, it is a strong candidate for inclusion in an omnibus appropriations bill wrapping several spending measures together or for inclusion in a continuing resolution that funds programs at last year's levels or less.

For detailed information on specific program spending levels included in the bill, see the July 15 *Washington Report* or consult our Funding Chart at: www.capitaleedge.com/funding.pdf.

BASE CLOSURE

BRAC 2005 is a done deal. The House voted 85-234 against a resolution (HJ Res 65) that would have stopped the military base closures and realignments proposed by President Bush. Under the base closure process, Congress has 45 days to reject the President's proposal after it is submitted by the White House. President Bush submitted his list on September 15. A resolution has not been filed in the Senate and the House vote essentially signals the end of efforts to halt the 2005 base closure process.

Sponsored by Rep. Ray LaHood (R-IL), the measure was supported only by those members whose districts include one of the 55 bases slated for closure or realignment. Even members who oppose the base closure process voted against the LaHood resolution, fearful that its passage might spur a new process that does not spare bases in their district.

In its report, the Base Realignment and Closure Commission recommends that a round of base closures and realignments take place every 12 years. If Congress heeds their advice, the next round would begin in 2015.

GRANT OPPORTUNITIES

Department of Health and Human Services: The Substance Abuse and Mental Health Services Administration has published a preview of its FY 2006 funding opportunities. The preview includes a list of grants the Administration anticipates awarding, total funding available for each program, number of expected awards and average size of award, and the target publishing date for each grant. See:

www.samhsa.gov/grants/2006/ataglance.aspx.

Publication, Government Accountability Office: The GAO has published its review of the COPS program and the program's modest contributions to declining crime in the 1990s. Of note, the report finds that the COPS program accounted for 5 percent of the overall crime reduction. The report can be found at:

www.gao.gov/new.items/d06104.pdf.

LANCASTER COUNTY BOARD OF COMMISSIONERS

COUNTY-CITY BUILDING

555 South 10th Street, Room 110
Lincoln, Nebraska 68508
Phone: (402) 441-7447
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E-mail: commish@co.lancaster.ne.us

COMMISSIONERS

Bernie Heier
Larry Hudkins
Deb Schorr
Ray Stevens
Bob Workman

Chief Administrative Officer

Kerry P. Eagan

Deputy Chief Administrative Officer

Gwen Thorpe

November 1, 2005

Mayor Coleen Seng
County-City Building
555 South 10th Street
Lincoln, NE 68508

RE: Village of Emerald Water Problem

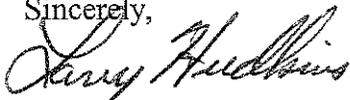
Dear Mayor Seng:

For more than a decade the residents of the Village of Emerald have struggled to find a solution to their water problem. Emerald formed a sanitary improvement district (SID) in 1991 and spent \$235,000.00 on a new well east of their community. However, water production is too low and the nitrate level is too high. Although a new well site has been identified west of Emerald, development costs are approximately \$350,000.00, which is far more than the SID residents can afford.

A solution to this difficult problem may be to allow Emerald to buy water from the City of Lincoln. All costs of expending service from the existing City water main would be covered by the Emerald SID, and the total usage would be so small it would not affect the ability of Lincoln to provide service to existing customers.

The Lancaster County Board of Commissioners encourages the City of Lincoln to consider providing water service to the Village of Emerald. While the County Board acknowledges the long-standing City policy limiting the extension of water service beyond the City limits, the serious health concerns and potential disruption of many families and businesses in Emerald calls for an exception to this policy. Thank you for considering this request.

Sincerely,



Larry Hudkins, Chairman
County Board of Commissioners

cc: County Board
Lincoln City Council
Becky Vandenberg

**PLANNING COMMISSION FINAL ACTION
NOTIFICATION**

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning 

DATE : October 28, 2005

RE : **Special Permit No. 1883A, an amendment to the Stevens Creek Pointe Community Unit Plan**
(North 134th and Adams Streets)
Resolution No. PC-00957

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, October 26, 2005:

Motion made by Carroll, seconded by Larson, to approve **Special Permit No. 1883A**, an amendment to the **Stevens Creek Pointe Community Unit Plan**, with conditions, requested by Brian D. Carstens and Associates on behalf of Gerry and Dianne Krieser, for authority to add two dwelling units and land area of two lots, on property generally located at North 134th and Adams Streets.

Motion for conditional approval carried 7-0 (Pearson, Carroll, Sunderman, Esseks, Taylor, Larson and Carlson voting 'yes'; Krieser declaring a conflict of interest; Strand 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
Brian D. Carstens and Associates, 601 Old Cheney Road, Suite C, 68512
Gerry and Dianne Krieser, 5212 Troon Drive, 68526
Gregory Gerlach, 7850 Lexington Ave., 68505
Gerald and Shay Armstrong, 6941 Garland Street, 68505
Bruce Anderson, 4101 N. 134th Street, 68527

RESOLUTION NO. PC- 00957

SPECIAL PERMIT NO. 1883A

1 WHEREAS, Gerry and Dianne Krieser have submitted an application
2 designated as Special Permit No. 1883A for authority to amend Stevens Creek Pointe
3 Community Unit Plan to add two dwelling units and land area of two lots, with requested
4 waivers of the required sidewalks, street trees, street lighting, landscape screens, and
5 block length, on property generally located at North 134th and Adams Streets and
6 legally described as:

7 Lots 1, Block 1, Lots 1-3, Block 2, Lots 1-3, Block 3, Outlots
8 A, B, and C, all of Stevens Creek Pointe Addition, and Lot 31
9 and 32 I.T., all located in the Southeast Quarter of Section 8,
10 Township 10 North, Range 8 East of the 6th P.M., Lancaster
11 County, Nebraska;

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

14 WHEREAS, the community as a whole, the surrounding neighborhood,
15 and the real property adjacent to the area included within the site plan for this
16 amendment to the community unit plan to add two dwelling units and land area of two
17 lots will not be adversely affected by granting such a permit; and

18 WHEREAS, said site plan together with the terms and conditions
19 hereinafter set forth are consistent with the comprehensive plan of the City of Lincoln

1 and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the
2 public health, safety, and general welfare.

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

5 That the application of Gerry and Dianne Krieser, hereinafter collectively
6 referred to as "Permittee", to amend Stevens Creek Pointe Community Unit Plan to add
7 two dwelling units and land area of two lots be and the same is hereby granted under
8 the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code
9 upon condition that construction of said community unit plan be in strict compliance with
10 said application, the site plan, and the following additional express terms, conditions,
11 and requirements:

12 1. This approval permits nine dwelling units.

13 2. If any final plat on all or a portion of the approved community unit plan is
14 submitted five (5) years or more after the approval of the community unit plan, the City
15 may require that a new community unit plan be submitted, pursuant to all the provisions
16 of Section 26.31.015. A new community unit plan may be required if the subdivision
17 ordinance, the design standards, or the required improvements have been amended by
18 the City; and as a result, the community unit plan as originally approved does not
19 comply with the amended rules and regulations.

20 3. Before the approval of a final plat, the public streets, private roadway
21 improvements, drainage facilities, land preparation and grading, sediment and erosions
22 control measures, drainageway improvements, temporary turnaround and barricades,
23 and street name signs, must be completed or provisions (bond, escrow or security

1 agreement) to guarantee completion must be approved by the City Law Department.
2 The improvements must be completed in conformance with adopted design standards
3 and within the time period specified in the Land Subdivision Ordinance.

4 4. The Planning Director may approve final plats after the Permittee
5 as Subdivider has entered into an agreement wherein the City and Permittee agree:

- 6 a. to complete any other public or private improvement or facility
7 required by Chapter 26.23 (Development Standards) of the Land
8 Subdivision Ordinance in a timely manner which inadvertently may
9 have been omitted from the above list of required improvements.
- 10 b. to submit to the Director of Public Works a plan showing proposed
11 measures to control sedimentation and erosion and the proposed
12 method to temporarily stabilize all graded land for approval.
- 13 c. to complete the public and private improvements shown on the
14 Community Unit Plan.
- 15 d. to retain ownership of or the right of entry to the outlots in order to
16 maintain the outlots and private improvements on a permanent and
17 continuous basis and to maintain the plants in the medians and
18 islands on a permanent and continuous basis. However, the
19 subdivider may be relieved and discharged of this maintenance
20 obligation upon creating, in writing, a permanent and continuous
21 association of property owners who would be responsible for said
22 permanent and continuous maintenance. The subdivider shall not
23 be relieved of such maintenance obligation until the private
24 improvements have been satisfactorily installed and the documents
25 creating the association have been reviewed and approved by the
26 City Attorney and filed of record with the Register of Deeds.
- 27 e. to submit to the lot buyers and home builders a copy of the soil
28 analysis.
- 29 f. to comply with the provisions of the Land Preparation and Grading
30 requirements of the Land Subdivision Ordinance.
- 31 g. to properly and continuously maintain and supervise the private
32 facilities which have common use or benefit, and to recognize that
33 there may be additional maintenance issues or costs associated
34 with providing for the proper functioning of storm water
35 detention/retention facilities as they were designed and constructed

1 within the development, and that these are the responsibility of the
2 land owner.

3 h. to maintain County roads until the County Board specifically
4 accepts the maintenance.

5 5. Before receiving building permits:

6 a. The Permittee shall complete the following instructions and submit
7 the documents and plans to the Planning Department office for
8 review and approval.

9 i. Revise the easements as requested in the LES memo of
10 January 7, 2005.

11 ii. Remove the signature block for the City Council and add the
12 Resolution # line to the Planning Commission block.

13 iii. A permanent final plan with 5 copies as approved.

14 b. The construction plans comply with the approved plans.

15 c. Final plat(s) is/are approved by the City.

16 d. The required easements as shown on the site plan are recorded
17 with the Register of Deeds.

18 6. Before occupying this Community Unit Plan all development and
19 construction is to comply with the approved plans.

20 7. Before occupying these dwellings City/County Health Department must
21 approve the water and wastewater systems.

22 8. All privately-owned improvements, including landscaping and recreational
23 facilities, are to be permanently maintained by the Permittee or an appropriately
24 established homeowners association approved by the City.

25 9. The site plan accompanying this permit shall be the basis for all
26 interpretations of setbacks, yards, locations of buildings, location of parking and
27 circulation elements, and similar matters.

1 10. This resolution's terms, conditions, and requirements bind and obligate the
2 Permittee, its successors and assigns.

3 11. The Permittee shall sign and return the letter of acceptance to the City
4 Clerk within 30 days following the approval of the special permit, provided, however,
5 said 30-day period may be extended up to six months by administrative amendment.
6 The clerk shall file a copy of the resolution approving the special permit and the letter of
7 acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the
8 Permittee.

9 12. The site plan as approved with this resolution voids and supersedes all
10 previously approved site plans, however all resolutions approving previous permits
11 remain in force unless specifically amended by this resolution.

12 The foregoing Resolution was approved by the Lincoln City-Lancaster County
13 Planning Commission on this 26 day of October, 2005.

ATTEST:


Chair

Approved as to Form & Legality:



Chief Assistant City Attorney

**PLANNING COMMISSION FINAL ACTION
NOTIFICATION**

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning 

DATE : October 28, 2005

RE : **Special Permit No. 05048**
(4th & F Streets)
Resolution No. PC-00958

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, October 26, 2005:

Motion made by Carroll, seconded by Taylor, to approve **Special Permit No. 05048**, with conditions, with the revised comments by Public Works and Utilities, for authority to reconstruct a nonconforming commercial use within a residential district, together with a request to reduce the required rear yard setback from 28.4 feet to 1 foot for the new construction, and to reduce the required front and side yard setbacks as needed to allow the continued use of an existing building, on property generally located at 4th and F Streets.

Motion for conditional approval carried 8-0 (Pearson, Carroll, Krieser, Sunderman, Esseks, Taylor, Larson and Carlson voting 'yes'; Strand 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
Steve Werthmann, Urban Development
Troy Gagner, Urban Development
Arck Foods, Inc., P.O. Box 449, Falls City, NE 68355
Ron Harvey, 1739 S. 27th Street, 68502
Steve Larrick, South Salt Creek Community Org., 920 S. 8th, 68508
Omadeane Talley, South Salt Creek Neighborhood, 806 W. Garfield, 68522
Danny Walker, South Salt Creek Community Org., 427 E Street, 68508-3049

RESOLUTION NO. PC-00958

SPECIAL PERMIT NO. 05048

1 WHEREAS, the City's Urban Development Department has submitted an
2 application designated as Special Permit No. 05048 to allow the reconstruction of a
3 nonconforming commercial use within a residential district, together with a request to
4 reduce the required rear yard setback from 28.4 feet to 1 foot for the new construction,
5 and to reduce the required front and side yard setbacks as needed to allow the
6 continued use of an existing building, on property generally located at 4th and F Streets
7 and legally described as:

8 Lots 1 - 5, Block 172, Original Lincoln, Lancaster County,
9 Nebraska;

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

12 WHEREAS, the community as a whole, the surrounding neighborhood,
13 and the real property adjacent to the area included within the site plan for this
14 reconstruction of a nonconforming use within a residential district will not be adversely
15 affected by granting such a permit; and

16 WHEREAS, said site plan together with the terms and conditions
17 hereinafter set forth are consistent with the comprehensive plan of the City of Lincoln

1 and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the
2 public health, safety, and general welfare.

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

5 That the application of the City's Urban Development Department,
6 hereinafter referred to as "Permittee", to allow the reconstruction of a nonconforming
7 commercial use within a residential district, be and the same is hereby granted under
8 the provisions of Section 27.63.280 of the Lincoln Municipal Code upon condition that
9 construction of said nonconforming commercial building be in strict compliance with said
10 application, the site plan, and the following additional express terms, conditions, and
11 requirements:

12 1. This permit approves the reconstruction of a nonconforming use and its
13 conversion to a more restrictive use, and a setback waiver as shown on the plans to
14 allow the continued use of an existing building.

15 2. Before receiving building permits the Permittee shall complete the
16 following instructions and submit 8 copies of the documents and plans to the Planning
17 Department office for review and approval:

18 a. Revise the site plan to show the side and rear yard setbacks such
19 that all new construction stays within the buildable area of the site.
20 Also identify the location of any future proposed buildings not
21 already shown, and any additional parking they may require.

22 b. Revise the parking lot layout to provide vehicular access to South
23 4th Street only.

24 c. Add a note to the drawings indicating that the existing house will be
25 retained and maintained in its current condition.

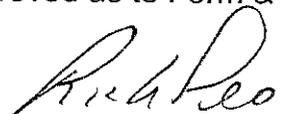
- 1 d. Add a note to the drawing stating the retail building will be
2 constructed to match the residential design characteristics of the
3 neighboring area. Either provide elevations of the proposed
4 building or a list of design elements that will be met to accomplish
5 this.
- 6 e. Provide a landscape and screening plan showing all proposed
7 screening and landscaping located within view of adjacent
8 properties.
- 9 f. Make revisions to the satisfaction of the Public Works and Building
10 and Safety Departments as outlined in the Lincoln City/Lancaster
11 County Planning Staff Report prepared by Greg Czaplewski dated
12 October 13, 2005 regarding Special Permit #05048.
- 13 g. Add a note recognizing that any relocation of LES facilities will be at
14 the owner's expense.
- 15 3. Before occupying these buildings, all development and construction must
16 conform with the approved plans.
- 17 4. All privately-owned improvements, including landscaping and screening,
18 must be permanently maintained by the Permittee.
- 19 5. The site plan accompanying this permit shall be the basis for all
20 interpretations of setbacks, yards, locations of buildings, location of parking and
21 circulation elements, and similar matters.
- 22 6. This resolution's terms, conditions, and requirements bind and obligate the
23 Permittee, its successors and assigns.
- 24 7. The Permittee shall sign and return the letter of acceptance to the City
25 Clerk within 30 days following the approval of the special permit, provided, however,
26 said 30-day period may be extended up to six months by administrative amendment.
27 The clerk shall file a copy of the resolution approving the special permit and the letter of
28 acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the
29 Permittee.

1 The foregoing Resolution was approved by the Lincoln City-Lancaster County
2 Planning Commission on this 26 day of October, 2005.

ATTEST:


Chair

Approved as to Form & Legality:


Chief Assistant City Attorney



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov



LLWC 440 S. 8th St., Ste. 100 Lincoln NE 68508 (402) 441-7716

FOR IMMEDIATE RELEASE:
FOR MORE INFORMATION:

October 27, 2005
Bonnie Coffey, director, 402/441-8695
Diane Mullins, 402/441-7717

MOVIES ARE FOR MOMMIES - AND DADDIES, TOO!

Lincoln-Lancaster Women's Commission coordinates discount movie program for parents of small children.

Parents of small children need to take a break and watch a good movie every now and then. That's the philosophy behind a new community program called, "*My Movies for Mommies (And Daddies Too!)*".

Beginning in November, discounted movie passes will be available to parents and grandparents with small children, infancy through age three. "*My Movies for Mommies (And Daddies Too!)*" is a collaborative effort of BryanLGH Medical Center, Douglas Theatre Company, My 106.3 FM Radio and Lincoln-Lancaster Women's Commission.

The first feature presentation is scheduled for 10 a.m. on Wednesday, November 16, 2005, at the SouthPointe Cinema, 27th & Pine Lake St., in Lincoln, NE. Admission is half price for parents/grandparents and children up to age three are free. Doors open at 9:45 a.m. with a door prize drawing and a brief educational presentation. Stroller parking is available. The theater will provide soft house lighting and lower soundtrack noise during the show. All movies shown for "*My Movies for Mommies (And Daddies Too!)*" will be current movies running in the theater circuit.

Show times are the third Wednesday of every other month. Future 2006 showings for "*My Movies for Mommies (And Daddies Too!)*" are set for January 18, March 15, May 17, July 19 and September 20.

For more information, contact the Lincoln-Lancaster Women's Commission at 441-7717.



campjon@aol.com
11/03/2005 09:57 AM

To tgrammer@lincoln.ne.gov
cc
bcc
Subject Fwd: TH - 03 NOV - letter of support

For Council

Jon Camp
Lincoln City Council
City Council Office: 441-8793
Constituent representative: Darrell Podany

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

From: Roger Bratt <yournextwireless@charter.net>
To: jcamp@lincoln.ne.gov
Sent: Thu, 3 Nov 2005 09:35:33 -0600
Subject: TH - 03 NOV - letter of support

Councilman JonCamp
LincolnCity Council

This e-mail letter is written in support of the new Wal-Mart and residential development, proposed for northeast Lincoln at 84th & Adams streets.

This proposal is a great & logical fit for the Lincoln business and residential community. It is logical for many reasons, including, its proximity to the proposed beltline & the eventual adoption of the proposed I-80 corridor between Lincoln and Omaha.

Over the past several years our city has grown by leaps and bounds. This growth proposal will require little infrastructure and street development, since 84th street has recently been upgraded in advance of proposed development; instead of "after-the fact" upgrades, as are under painful and delayed construction on south 84th street towards Highway 2.

The upside of an enormous boost in sales tax & property tax revenue for the City of Lincoln is enormous. As you know more than 75% of the revenue the city receives is from sales tax generated by retail business.

This Wal-Mart, and the other merchants that will join them in the center, will produce a greatly needed increase in real cash dollars for the city through the sales tax they will generate.

This proposal also is a jobs proposal. The number of construction jobs generated for Lincoln residents by the retail and residential development will be in the thousands. The permanent jobs created by Wal-Mart, and the other merchants that will join them will be significant, as well.

Frankly, the alternatives are rather grim.

For example, if this Wal-Mart site is not approved, it is highly probable that they will move forward with a center in the Waverly area. The Waverly community would become the beneficiary of the sales & property

tax revenue and 84th street and Cornhusker Highway would be maintained by the City of Lincoln as the main access road to get there - with no revenue & significant maintenance costs to the City of Lincoln.

Short of installing a "tollgate" on 84th street & Cornhusker, our city would simply be incurring the cost of access.

I would encourage you to thoughtfully consider this wonderful addition to our city's growth and ask for your vote in favor of the approval of this development.

Respectfully,

Rog

Roger C. Bratt

Phone: (402) 217 - 1580

FAX: (801) 289 - 1567

Please reply to: YourNextWireless@Charter.net

Mail: 938 N 70th, 206, Lincoln, NE 68505-2104

NOBODY procrastinates their way to the TOP !

" Be DOER Not a STEWER "

*Life philosophy of the father of
former Senator Bob Dole of KS*

Confidentiality Notice

This message, including any attachment(s), contains confidential information and is intended solely for the use of the individual or entity to whom it is addressed and others authorized to receive it. It may contain confidential or legally privileged information. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or taking any action in reliance on the contents of this information is strictly prohibited and is protected by law. If you have received this communication in error and / or are not the intended recipient, please contact sender immediately by reply e-mail, delete it from your system & destroy all copies.

WARNING: Computer viruses can be transmitted via e-mail. The recipient should check this e-mail and any attachment(s) for the presence of viruses. The sender accepts no liability for any damage caused by any virus transmitted by this e-mail. E-mail transmissions cannot be guaranteed to be secure or error-free. Information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission.

Tammy J Grammer/Notes

10/31/2005 08:11 AM

To Sinjon45@aol.com

cc Council@lincoln.ne.gov

bcc

Subject Re: Group Homes 📧

Dear John May: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

Sinjon45@aol.com



Sinjon45@aol.com

10/28/2005 05:39 PM

To Council@lincoln.ne.gov

cc

Subject Group Homes

*****Please copy this and forward it to ALL City Council Memebers*****

Good Afternoon.

I watched the City Council meeting this morning and wanted to way in on the issued of group homes in Lincoln. First of all I wanted to say first that we need to group homes. there's no two ways about it, what we don't need is condescending owners of group homes. I noticed that one gentleman testifying repeated the comment that they had only one "catastrophic" incident, that is true. But, while working at Lincoln Public Schools I witnessed first hand how many for these group homes treat the clientele, during crisis they staff would be called, sometimes with no return, sometimes with a response of "well, its really no the a good time" which was the general response for the clients who were suffering from flu or high fevers. To have Scott LaFevre stand up and say he makes 850.00 a month "then subtract food, clothes, rent, etc." is a travesty. They/He can make three times that amount of money for some of the clients, plus the state of Nebraska gives them vouchers for clothes, the medical is paid for and they might even get food stamps! I would challenge the council to accept Mr. LaFevre's statement of touring one of his group homes, one YOU choose, and go at night (then you might see how many kids are placed in a room). Second, go to the Bel-Air house on "A" street and see how horrifying group homes are. It's not the group homes, it's then under paid, under trained staff. It's the "It's not my fault" attitude of the owners.

Please contact me with any questions

John May
601-0924

Tammy J Grammer/Notes

10/31/2005 08:17 AM

To NEBRBOB4131@aol.com

cc

bcc

Subject Re: EVENT CENTER 📧

Dear Bob Stewart: Your message has been received in the Council Office and will be forwarded to the Council Members. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

NEBRBOB4131@aol.com



NEBRBOB4131@aol.com

10/29/2005 09:53 AM

To Council@lincoln.ne.gov

cc

Subject EVENT CENTER

**COUNCIL MEMBERS' PLEASE DON'T LET THE MAYOR
BUILT THAT EVENT CENTER IT IS GOING TO COST
OVER 100 MILLION AND OUR TAXES ARE HIGH
ENOUGH NOW. POOR PEOPLE CAN;T. PAY THERE
HEAT BILLS AND THE MAYOR AND SOME RICH
PEOPLE WANT TO SPEND THAT MUCH MONEY. THIS
IS JUST SICK AND I HOPE THE PEOPLE IN THIS TOWN
STICK TOGETHER AND VOTE ALL OF THE PEOPLE
THAT WANT TO BUILT THAT EVENT CENTER OUT OF
OFFICE AND PUT SOMEONE IN OFFICE THAT WILL
WORK FOR THE PEOPLE INSTEAD OF JUST THE RICH.
THANK YOU BOB STEWART.**

RECEIVED
OCT 31 2005
CITY COUNCIL
OFFICE

B&R STORES, INC.

October 28, 2005

Ken Svoboda
City Council Office
County-City Building
555 South 10th Street
Lincoln, NE 68508

Dear Ken:

Thank you for the time you spent with Jane and myself at our original store. I know you have been getting bombarded with a variety of information on the north 84th street Wal-Mart development. I just want to officially voice my opposition to this project.

I live in this part of Lincoln and travel Holdrege and Adams streets often. Traffic on these streets will be affected dramatically. These streets along with Havelock Avenue will need to be widened. This will be an additional burden to the tax payers. My neighbors definitely do not want to turn 84th street into another 27th and Superior.

I also believe there will be many unknown costs in regards to the effects of this size of project.

Wal-Mart will have a dramatic negative effect on many of the retailers in Lincoln including my own company, B&R Stores. I speak from experience on this issue. When a Wal-Mart opens, our store sales have all been affected between 10 and 25%. That percentage drop in some cases turns a profitable store into one with a deficit.

Fleming Foods was at one time the nation's largest grocer wholesaler. The company had a thriving profitable warehouse in Lincoln that offered very good pay and benefits. They are no longer in existence anywhere. This was due in large part to the growth of Wal-Mart.



4554 W' Street Lincoln, NE 68503
Mailing Address: P.O. Box 5824 Lincoln, NE 68505
Phone: 402-464-6297 Fax: 402-434-5733

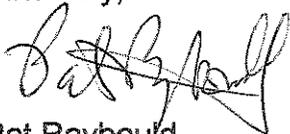
SUPER SAVER

The profits Wal-Mart generates are transferred to Bentonville, Arkansas daily. I would like to point out this is not the case with our stores and many other local merchants. We are an ESOP that has 980 associate owners.

I just want to remind you there are an awful lot of business people and local businesses that are tied into the success of B&R Stores. I have included a list of some, but not all, of the state and local businesses that we partner with. We are the number one customer for several of them. As we grow, they grow. A healthy, major business whose headquarters are in Lincoln is far more important to the city than a handful of giant retailers like Wal-Mart who offer a low wage and few benefits.

Please keep in mind what is best for Lincoln in the long run and vote accordingly. Thank you for taking time to read my concerns.

Sincerely,



Pat Raybould
President

RECEIVED
OCT 31 2005
CITY COUNCIL
OFFICE

RECEIVED
OCT 31 2005
CITY CLERK'S
OFFICE



NEBRASKA/LINCOLN CONNECTIONS
B&R STORES

Weaver Potato Chips*	Nebraska Printing
Meadow Gold Dairy	Snitily Carr
RU Nuts Company~	Keating, O'Gara, Davis & Nedved
Smart Chicken*	BKD
James Arthur Vineyards~	Wells Fargo - TierOne
Ameritas - Midlands Financial - Harry A. Koch Company	

Farmland Foods
Misty's
Pershing Auditorium
Empyrean Brewing Company
Paramount Linen
Thompson Food Service
Nick D'Angelo's Pasta Sauce
Lincoln Wholesale Florists - Sunwest Wholesale Floral
Sara Lee Breads
Rotella Bakery Company
Universal Cold Storage
Lincoln Journal Star
KOLN, KLKN, KFOR, KLIN
A-1 Refrigeration - Mesa Corporation - Solutions One - Retail Data Systems -
All Makes - Latches - Floor Technicians
Local auto dealers - Graham Tire Company
Salem Trucking & Storage
Erich Broer Construction Company - Hutchinson Architects

Tammy J Grammer/Notes

11/01/2005 08:15 AM

To "Jim & Vicky" <jandv@inebraska.com>

cc

bcc

Subject Re: Lincoln Main Post Office 📧

Dear Vicky Valenta: Your message has been received in the Council Office and will be forwarded to the Council Members. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

"Jim & Vicky" <jandv@inebraska.com>



"Jim & Vicky"
<jandv@inebraska.com>

10/31/2005 06:41 PM

To "Coleen Seng" <cseng@lincoln.ne.gov>

cc "Sen. David Landis" <dlandis@unicam.state.ne.us>, "Sen. Mike Foley" <mfoley@unicam.state.ne.us>, "City Council" <Council@lincoln.ne.gov>, <commish@lancaster.ne.gov>, "Jon Camp" <campjon@aol.com>, "LIBA" <coby@liba.org>, "Wendy Birdsall" <wbirdsall@lcoc.com>

Subject Lincoln Main Post Office

Mayor Seng,

Do you and your cronies have a CLUE about what the Lincoln main Post Office employees are going through right now, not knowing what is going to happen to their jobs? No, of course you don't. They are sick with worry- Management, Mail Handlers, Clerks, Custodians and Maintenance workers, all unsure of what their future holds. Do you care? Apparently not. By the way, Greed is one of the Seven Deadly Sins. Shame on all of you.

Vicky Valenta



**DO NOT REPLY to this-
InterLinc
<none@lincoln.ne.gov>
11/01/2005 05:16 PM**

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

InterLinc: City Council Feedback for
General Council

Name: Anthony C Stemick
Address: 818 W LEON DR
City: Lincoln, NE 68521

Phone:
Fax:
Email: TCSTEMICK@INEBRASKA.COM

Comment or Question:
Hello Honorable Council,

The reason I am writing you today is because I have a possible solution for Emerald's water situatuion. I was formally a sailor for our navy for five years. Currently, I am an electronics technician for Telex Communications as well as an inventor without the time or the money to pursue my endeavors (go figure,he,he). Anyway, I heard the story on the radio about Emerald's request to the council, and I wanted to help by offering my suggestion to Emerald via the council. When I was in the navy, I served onboard two ships mainly; an aircraft carrier, and an ammunition transport ship. Both ships, in fact, most naval vessels have the ability to convert sea water into fresh water. The main idea is to take in seawater at a certain rate, convert it to steam, pipe the steam to a clean area where it can be cooled, and recondensed into pure water. The pure water can then can be used throughout the ship. Take this application and apply it to a city or township. The navy has been using this same principle for possibly fifty years. If you boil your water, then put it into your distribution system, everyone's happy. Thank all of you for your time in considering this matter.

Tony Stemick



**DO NOT REPLY to this-
InterLinc
<none@lincoln.ne.gov>**
11/02/2005 09:26 AM

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

InterLinc: City Council Feedback for
General Council

Name: Bob Hampton
Address: 5515 S 96th PL
City: Lincoln, NE 68516

Phone: 5402255
Fax:
Email: bhampt

Comment or Question:

I hope that you can look at the big picture and help Emerald out by selling water. The town needs water badly.

The City can write the rules on water sales. Lincoln can make alot of money by selling water to the towns along the water line from ashland. It is the States water not Lincolns. If you dont become proactive in time the State may force Lincoln to be a MUD like Omaha. Be open minded.

Do the right thing. The amount of water sold for the revenue rasied is a good deal for Lincolns rate payers.

Water is everybodys not just Lincolns.



**DO NOT REPLY to this-
InterLinc
<none@lincoln.ne.gov>
11/03/2005 09:41 AM**

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

InterLinc: City Council Feedback for
General Council

Name: Rhiannon Sanford
Address: 1657 SW 15th
City: Lincoln, NE 68522

Phone:
Fax:
Email: rhiannon4s@aol.com

Comment or Question:

I understand that you will soon be looking into an ordinance to limit where convicted sex offenders can live within the city of Lincoln. I have a close family member who is on parole for a sexual offense and I am concerned that he will be unfairly affected by this law if it were to pass without certain guidelines. He is a level one (least likely to reoffend). Had he not been in the military at the time of the incident, he never would have been convicted. He only had to serve time because of how the military law is written. He is a harmless, caring, good person who was in the wrong place at the wrong time. It would be a shame if he were to be treated the same as the people who commit violent acts or acts against children. I trust that you will take everything into consideration when this issue is brought up for your review. Thank you.
Rhiannon Sanford

Oct. 31, 2005

RECEIVED

NOV 02 2005

CITY COUNCIL
OFFICE

City Council Office
555 S. 10th St.
Lincoln, NE 68508

Attention All City Council Members:

I'm writing as a member of the Mayor's Cable TV Advisory Board who has reservations about the new franchise agreement. I hope you all will see this letter before the pre-council briefing.

First, I want you to understand that the Cable TV Advisory Board made a hasty decision on Oct. 27, at the end of a long meeting, without any discussion, to recommend approval of the new franchise agreement. I was able to get my lone negative vote recorded only by special effort.

I have discussed this with Chair Herb Friedman, who apologized and asked me to write calling for a special meeting to reconsider. I don't know whether the board will hold a special meeting, but I do know that many of its members have previously voiced unhappiness with better terms than this agreement contains.

But everyone is tired of the years of negotiations and wants to see the process come to an end. I fear we in Lincoln are rushing to sign a bad agreement. I think Time Warner Cable has succeeded in wearing down the city side. I believe that most arbitrators or judges would award the city more than it is getting from TWC.

Here are my specific reservations:

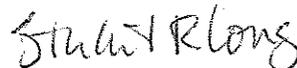
-- Bandwidth. Under an earlier franchise, the city reserved five channels of 36 available on cable for public access, education and government (PEG), or 14% of bandwidth. This franchise would reserve 12 MHz of 860 MHz bandwidth, or 1.4%. That's a decrease of 1,000%! One could argue endlessly about the details but I think the city should and could do better. Why not reserve the 30 MHz we presently have and rent whatever we don't use back to TWC? The way it is now, if the city doesn't use the whole 12 MHz, TWC gets to claim it for free.

-- Public Access. The agreement turns this over to TWC control. I think this is wrong in principle and may result in mischief. Some public body should supervise public access, as the Cable TV Advisory Board does now.

-- Education Studio. In every version of the negotiations I've heard about over the past three years, TWC was going to build a new studio for Lincoln Public Schools. Last December TWC had agreed to \$650,000. I can't find it in the new plan.

I believe most Lincoln citizens, if given the same opportunity I have had to educate themselves about this complicated issue, would agree that the new cable franchise agreement is less than it ought to be. I urge the City Council to amend the agreement.

Sincerely,



Stuart R. Long
470-3834

FROM: Sharon Miller

Received on City Council InterLinc Action Center on November 1, 2005.

I live just south of Hiway 2 off of Southwood Dr in the townhouses to the east. Our units back up to our commons area, then Beal Slough. Recently the city remapped the flood plain boundaries and we are going to be put in the 100 yr flood plain once FEMA adopts the new maps. Our property is 14" too low to qualify to be "out" of the new flood plain. Many of the residents here are outraged by this action. We just purchased our townhome from the former Pres of the Association in January. There was no prior knowledge of this happening by anyone! It wasn't even in the "Master Plan" at the time. I am very disappointed in the fact that everyone I have had discussions with from the City has told me basically there is nothing we can do! HOW CAN THAT BE?! I am a taxpayer! It was also brought to my attention when I contacted a prominent attorney that the city was made aware of this situation many years ago. It chose not to be proactive and use our tax dollars to make the necessary recommendations over the years. Instead, more studies were ordered, thereby wasting monies that could have been used in the reconstruction to alleviate the potential flooding problems. I have been told by Ben Higgins with the City that the intent of the Master Plan is to prevent flooding and therefore, this project would have public benefit. I am requesting the City Council look into this immediately and choose a course of action to be completed prior to the final flood plain maps being adopted by FEMA in 2007. I feel as a taxpayer of Lincoln (and Lord knows, they are high enough!) that we are entitled to the city doing all it can to protect our existing properties. I am wondering how this got ram-rodged through so quickly and without property owners' knowledge prior to Aug? We need answers and we need them now! The flood insurance that we will be required to carry from our mortgage companies is expensive and basically worthless in Lincoln, NE. What is going to happen when the final maps are done for Salt Creek? That is going to affect possibly thousands of people and they are already in the works now! We feel the city is responsible to correct the problem and take action on the recommendations that were suggested years ago, at it's expense of course! No bond issue needed here! It is quite evident what has been going on all these years. We have many single people and elderly that can't afford the insurance, not to mention our property values will decrease. And if we want to sell in the future, it will make it much more difficult to do so. Please address all responses to smiller@rbauction.com. Thank you for your prompt attention to this matter.

This has been received by Public Works and they are responding.

9/13/05

**ADDENDUM
TO
DIRECTORS' AGENDA
MONDAY, NOVEMBER 7, 2005**

I. MAYOR

1. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of November 5 through 11, 2005-Schedule subject to change -(See Advisory)

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

B. DIRECTORS AND DEPARTMENT HEADS

PLANNING

1. E-Mail from Paula McClung to Jean Walker - RE: Wal-Mart at 84th & Adams -(See E-Mail)

C. MISCELLANEOUS

1. E-Mail from Larry & Deb Elias - RE: Annexation #05013 & Change of Zone #5054 -Opposed to allowing Wal-Mart to build any more stores in our city -(See E-Mail)
2. E-Mail from Art Kavan - RE: Wal-Mart -(See E-Mail)
3. E-Mail from Russell Miller - RE: Floodplain & Prairie Village North -(See E-Mail)
4. E-Mail & Material from Jane Raybould, Buildings & Equipment Director, B & R Stores, Inc. - RE: 84th & Adams Development -(See Material)

5. E-Mail from Michael Douglas Olson - RE: 84th Street Supercenter -(See E-Mail)
6. E-Mail from Don & Diane Crouch - RE: Wal-Mart -(See E-Mail)
7. E-Mail from Gretchen Goering - RE: Wal-Mart near 84th & Adams -(See E-Mail)
8. E-Mail from Ginny Wright - RE: Wal-Mart - (See E-Mail)
9. E-Mail from Brad Parker - RE: Development at 84th & Adams - Wal-Mart - (See E-Mail)
10. E-Mail from Roger, Donna, Claire, & Brad Baddeley - RE: Wal-Mart -(See E-Mail)
11. E-Mail from Dave Brady - RE: Editorial about Wal-Mart -(See E-Mail)
12. E-Mail from Doc Mullet - RE: Enough Wal-Marts!!!! -(See E-Mail)
13. Letter from Polly McMullen, President, Downtown Lincoln Association to Jeff Lewis - RE: Writing to follow up your recent communication to the Lincoln City Council on the assessments for the 2004-05 Maintenance and Management Business Improvement Districts (BIDs) administered by the DLA. - (Council received this letter in their Thursday packets on 11/03/05) (See Letter)
14. Faxed Letter from Brian & Dana Meves - RE: Concerns - Wal-Mart near 84th & Adams -(See Letter)
15. 2 E-Mail's from Teresa Andersen - RE: The proposed Wal-Mart -(See E-Mail)



NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

Date: November 4, 2005

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

Mayor Seng's Public Schedule Week of November 5 - 11, 2005 *Schedule subject to change*

Saturday, November 5

- Groundbreaking for student housing at Union College - 4 p.m., 52nd and Cooper streets
- NAACP Freedom Fund banquet, remarks and Key to the City - 6:30 p.m., Cornhusker Hotel, 333 South 13th Street

Tuesday, November 8

- Mayor's Multicultural Advisory Committee meeting - 3:30 p.m., Mayor's Conference Room, 555 South 10th Street

Thursday, November 10

- News conference - 10 a.m., topic and location to be announced
- Safe Kids Coalition celebration, remarks and proclamation - 11:30 a.m., Madonna Rehabilitation Hospital, Sheridan Room, 5401 South Street
- Mayor's Neighborhood Roundtable meeting - 4:30 p.m., County-City Building, Room 113, 555 South 10th Street
- Juliette Low Society recognition dinner - 6:15 p.m., Country Club of Lincoln, 3200 South 24th Street

Friday, November 11 - *CITY OFFICES CLOSED FOR FEDERAL HOLIDAY - VETERANS DAY*

- Veterans Day event, dedication of Nebraska Liberty Bell - 11 a.m., Veterans Memorial Garden, Antelope Park (rain location is Auld Recreation Center west of Garden)
- Nebraska Chapter of the National Association of Social Workers open house - 5:30 p.m., 650 "J" Street



Paula McClung
<pmcclung@lps.org>

11/06/2005 02:46 PM

Please respond to
pmcclung@lps.org

To JWalker@ci.lincoln.ne.us

cc

bcc

Subject Re: BP: Notice of City Council public hearing on Prairie
VillageNorth Planned Unit Development, 84th & Adams
Streets, November 7, 2005, 1:30 p.m.

I have followed the information in the Lincoln Journal Star and still applaud the possibility of a Walmart in Northeast Lincoln. Unfortunately, as a teacher, I cannot attend the meeting to voice my support of the project, so I hope this email will serve as one vote for the proposed plan.

Thank you!
Paula McClung

JWalker@ci.lincoln.ne.us wrote:

>(See attached file: BP051025.pdf)

>

>

>--Jean Walker, Administrative Officer

>City-County Planning Department

>441-6365

>

>

>CONFIDENTIALITY NOTICE: This e-mail message, including any
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>of the original message.

>

--

Paula McClung
Library Media Specialist Lincoln High School
2229 "J" Street Lincoln, NE 68510
402-436-1534 or 402-436-1301
pmcclung@lps.org

"Life offers us tickets to places which we have not knowingly asked for. Then it makes us pay the fare." - Maya Angelou



pmcclung.vcf

Tammy J Grammer/Notes

11/04/2005 08:11 AM

To CouncilPacket/Notes@Notes

cc

bcc

Subject Fw: Annexation No. 05013 & change of zone 5054

----- Forwarded by Tammy J Grammer/Notes on 11/04/2005 08:13 AM -----

Tammy J Grammer/Notes

11/04/2005 08:10 AM

To LCElias5@aol.com

cc

Subject Re: Annexation No. 05013 & change of zone 5054

Dear Larry & Deb Elias: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer
City Council Office
555 South 10th Street
Lincoln NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
e-mail: tgrammer@lincoln.ne.gov

LCElias5@aol.com



LCElias5@aol.com

11/03/2005 10:32 PM

To pneman@lincoln.ne.gov, jcamp@lincoln.ne.gov,
CAMPJON@aol.com, amcroy@lincoln.ne.gov,
reschlman@lincoln.ne.gov, robin@robincitycouncil.org,
ksvoboda@lincoln.ne.gov, dmarvin@lincoln.ne.gov,
council@lincoln.ne.gov

cc

Subject Annexation No. 05013 & change of zone 5054

City Council Members,

Regarding the hearing on Monday, November 7, we would like you to know that we are firmly opposed to allowing Walmart to build any more stores in our city. We are pro-growth and pro-free enterprise and own a business in Lincoln. The Walmart issue is not simply about pro or antibusiness or growth. It is about good planning and real free market competition and choices. The dynamic that is taking place in our city and indeed across our state and nation will have far reaching implications for generations to come.

If you take the time to look at the real facts and impact of Walmart's growth, you will see economic blight and downturn in quality jobs wherever they go. As a pro-growth, pro-business conservative, one could argue that this

is competition at its best. But the size of Walmart and the impact they will have is so immense that ignoring it will cause problems that will take years to solve.

It would be relatively easy for you to vote in favor of Walmart and let the chips fall where they may, taking the stance that you're voting in favor of jobs and growth. We and the citizens of Lincoln expect our council members to carefully analyze the many studies that show the devastating impact of Walmart on state and local budgets and services. It is your responsibility to consider such information and not take the easy way out by voting "yes" and letting the free market play out.

The council took a bold step in banning cigarette smoking in restaurants and bars. That was not a free enterprise decision. It seemed to be based on "what was best for the citizens of Lincoln" with little consideration for the free market. People that didn't like cigarette smoke did not have to patronize or work in businesses that allowed smoking, yet the council went beyond that line of reasoning to make a bold decision for what was believed to be the best for the city. This is no different, except that this decision will be more reaching in terms of the financial impact on this city and state in the long term--mark my word. Other cities across the nation have learned this lesson and many are saying "no" to Walmart.

It is our prayer that you will be able to see past the smoke screen of the world's largest PR machine, look at the real facts and make the right decision.

Thanks for your consideration.

Larry & Deb Elias
7621 Karl Drive
68516

Tammy J Grammer/Notes

11/04/2005 09:13 AM

To CouncilPacket/Notes@Notes

cc

bcc

Subject Fw: InterLinc: Council Feedback

----- Forwarded by Tammy J Grammer/Notes on 11/04/2005 09:15 AM -----



**DO NOT REPLY to this-
InterLinc**

<none@lincoln.ne.gov>

11/04/2005 09:10 AM

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

cc

Subject InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: ART KAVAN

Address: 3010 shirley

City: Lincoln, NE68507

Phone: 4663838

Fax:

Email: ak94823@alltel.net

Comment or Question:

another big box store for s.e. lincoln. Score, southeast lincoln 4 northeast
lincoln 0 or maybe 1. FOUL! Art Kavan

Tammy J Grammer/Notes

11/04/2005 04:48 PM

To CouncilPacket/Notes@Notes

cc

bcc

Subject Fw: floodplain & prairie village north

----- Forwarded by Tammy J Grammer/Notes on 11/04/2005 04:50 PM -----



Russell Miller

<neb31340@alltel.net>

11/04/2005 09:24 AM

To council@lincoln.ne.gov

cc

Subject floodplain & prairie village north

> To Council members,
>
> Reviewing the fact sheets of PRAIRIE VILLAGE NORTH raises some
> potential flood plain issues.
> Item 9.3.A (on page 11) talks about filling seven acres of the
> floodplain but nothing is mentioned about maintaining zero net rise or
> what the developer will do to achieve zero net rise.
>
> Item 9.3.B (on page 11) talks about removing five acres from the
> floodplain. Floodplains are storage areas for water that usually
> comes from areas of higher elevations. Removing an area from the
> floodplain does not remove the stormwater that, in the past, was
> stored there; it has to go somewhere. That 'somewhere' needs to
> identified. Again the zero net rise concept must be enforced.
>
> Thank you,
> Russell Miller
> Member of Stevens Creek Watershed Advisory Committee

Tammy J Grammer/Notes
11/04/2005 04:48 PM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: 84th and Adams Development

----- Forwarded by Tammy J Grammer/Notes on 11/04/2005 04:50 PM -----



"Jane Raybould"
<jane@brstores.com>
11/04/2005 01:15 PM

To <council@lincoln.ne.gov>
cc <dnaumann@lincoln.ne.gov>
Subject 84th and Adams Development

Please carefully review the economic data and sources provided in this email when you deliberate on this development. As stewards of the economic well being of our city it is imperative that you take these numbers into consideration. We have presented credible economic studies and economic data that clearly show that this development is not in the best interest of our Lincoln taxpayers and our community. The Hometown Merchants Association of Nebraska (diverse group of businesses from all over the state) met with Governor Dave Heineman three weeks ago to propose legislation, "Fair Share Health Care Act" that would require large users of the state's Medicaid programs to pay their fair share of health benefits for their employees or contribute to the state's Medicaid fund. Nebraska taxpayers paid over \$6 million for Wal-Mart employees health coverage ("Wal-Mart & Medicaid: In Nebraska and Iowa," Nebraska Appleseed, June 2005). Plain and simple, our society and economy pay for Wal-Mart's low prices. How can you justify and how can Lincoln afford another? Please continue to vote NO on this development that includes a Wal-Mart. 2 is enough!

Jane

Jane Raybould

Buildings and Equipment Director

B & R Stores, Inc.

4554 W Street

Lincoln, NE68503

(402) 464-6297

(402) 434-5733 FAX

jane@brstores.com



- bigboxstudies.pdf



- Wal-Mart Who Pays summary REVISED.doc



- Wal-Mart Hurts Communities.doc

Big-Box Economic Impact Studies

This document and many other resources are available online at
www.HometownAdvantage.org

Below are summaries and links to key studies that examine the impact of Wal-Mart and other large retail chains and, in some cases, the benefits of locally owned businesses. For ease of use, we've organized these studies into the following categories (though they do not all fit neatly into one category):

City Costs

These studies compare the municipal tax benefits of big-box development with the cost of providing these stores with city services, such as road maintenance, police and fire—finding that cities do not always come out ahead.

State Costs

Because many of their employees do not earn enough to make ends meet, states are reporting high costs associated with providing healthcare (Medicaid) and other public assistance to big-box employees.

Economic Impact of Local Businesses vs. Chains

Studies have found that locally owned stores generate much greater benefits for the local economy than national chains.

Existing Businesses & Jobs

These studies look at how the arrival of a big-box retailer displaces sales at existing businesses, which must then downsize or close. This results in job losses and declining tax revenue, which some of these studies quantify.

Wages & Benefits

Studies have found that big-box retailers, particularly Wal-Mart, are depressing wages and benefits for retail employees.

Poverty Rates

Counties that have gained Wal-Mart stores have fared worse in terms of family poverty rates, according to this study.

Subsidies

This study documents more than \$1 billion in local and state development subsidies that have flowed to Wal-Mart.

Consumers

Are chains better for consumers?

1. CITY COSTS

These studies compare the municipal tax benefits of big-box development with the cost of providing these stores with city services, such as road maintenance, police and fire—finding that cities do not always come out ahead.

Understanding the Fiscal Impacts of Land Use in Ohio

<http://www.regionalconnections.org/documents/pdf/fiscalimpacts.pdf>
by Randall Gross, Development Economics, August 2004

This report reviews and summarizes the findings of fiscal impact studies conducted in eight central Ohio communities between 1997 and 2003. In seven of the eight communities, retail development created a drain on municipal budgets (i.e., it required more in public services, such as road maintenance and police, than it generated in tax revenue). On average, retail buildings produced a net annual loss of \$0.44 per square foot. "The concept that growth is always good for a community does not seem to correlate with the findings from various fiscal analyses conducted throughout central Ohio," the report concludes. It cautions cities not to be taken in by the promise of high tax revenue from a new development without also considering the additional costs of providing services. Unlike retail, office and industrial development, as well as some types of residential, produced a net tax benefit.

Fiscal Impact Analysis of Residential and Nonresidential Land Use Prototypes

http://amiba.net/pdf/barnstable_fiscal_impact_report.pdf
by Tischler & Associates, July 2002.

Big box retail, shopping centers, and fast-food restaurants cost taxpayers in Barnstable, Massachusetts, more than they produce in revenue, according to this analysis. The study compares the tax revenue generated by different kinds of residential and commercial development with the actual cost of providing public services for each land use. The study found that big box retail generates a net annual deficit of \$468 per 1,000 square feet. Shopping centers likewise produce an annual drain of \$314 per 1,000 square feet. By far the most costly are fast-food restaurants, which have a net annual cost of \$5,168 per 1,000 square feet. In contrast, the study found that specialty retail, a category that includes small-scale Main Street businesses, has a positive impact on public revenue (i.e., it generates more tax revenue than it costs to service). Specialty retail produces a net annual return of \$326 per 1,000 square feet. Other commercial land uses that are revenue winners include business parks, offices, and hotels. The two main factors behind the higher costs for big box stores, shopping centers, and fast-food outlets, compared to specialty retail shops, are higher road maintenance costs (due to a much greater number of car trips per 1,000 square feet) and greater demand for public safety services.

Understanding the Tax Base Consequences of Local Economic Development Programs

<http://www.rkg1.com/pdfs/taxbasemgmt.pdf>
by RKG Associates, 2001

The city of Concord, New Hampshire provides an example of what can happen when a community allows massive commercial growth while failing to protect its existing economic assets. Over the last 12 years, Concord added 2.8 million square feet of new commercial and industrial development. Yet tax revenue has actually declined by 19 percent. To make up for lost revenue, the town now has one of the highest property tax rates in the state. This study by RKG Associates, an independent economic consulting firm, found that there were several reasons for the declining tax base. One was that new retail development, primarily big box stores, had harmed local businesses. Property values, and subsequently tax revenue, in the older shopping areas had declined sharply. Another factor was that the new development had eroded the value of residential property, probably due in part to

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increased traffic and noise. The end result was that the city actually experienced a declining tax base despite all of the new growth.

Impacts of Development on DuPage County Property Taxes

Prepared by DuPage County Development Department for the County Regional Planning Commission, Illinois, October 1991.

This study demonstrated that the costs of encouraging new commercial development--- extending highways and utilities, expanding municipal services like police and fire protection, and providing development financing and incentives---exceeded the new property and sales tax revenues the new development generated. The study concluded "... there is a significant statistical relationship between new development (both residential and nonresidential) and increases in personal property taxes."

2. STATE COSTS

Because many of their employees do not earn enough to make ends meet, states are reporting high costs associated with providing healthcare (Medicaid) and other public assistance to big-box employees.

In addition to the following studies, see Good Jobs First's web page (www.goodjobsfirst.org) detailing states that have disclosed how much they are spending on providing health insurance for employees of Wal-Mart, Home Depot, Target, and other big-box retailers.

Hidden Cost of Wal-Mart Jobs

<http://laborcenter.berkeley.edu/lowwage>

by UC Berkeley's Institute for Industrial Relations, August 2004

California taxpayers are spending \$86 million a year providing healthcare and other public assistance to the state's 44,000 Wal-Mart employees, according to this study. The average Wal-Mart worker requires \$730 in taxpayer-funded healthcare and \$1,222 in other forms of assistance, such as food stamps and subsidized housing. Even compared to other retailers, Wal-Mart imposes an especially large burden on taxpayers. Wal-Mart workers earn 31 percent less than the average for workers at large retail companies and require 39 percent more in public assistance. The study estimates that if competing supermarkets and other large retailers adopt Wal-Mart's wage and benefit levels, it will cost California's taxpayers an additional \$410 million a year in public assistance.

Everyday Low Wages: The Hidden Price We All Pay for Wal-Mart

<http://edworkforce.house.gov/democrats/releases/rel21604.html>

by the Democratic Staff of the House Committee on Education and the Workforce, Feb.2004

Although this study uses different methodology than the one above, it arrives at the same conclusion: Wal-Mart's low wages and meager benefits are costing taxpayers. The average Wal-Mart employee requires \$2,100 per year in public assistance, including Section 8 housing vouchers, reduced-cost lunches for dependent children, health care programs, and tax credits for the working poor.

3. ECONOMIC IMPACT OF LOCAL BUSINESSES VS. CHAINS

The following studies have found that locally owned stores generate much greater benefits for the local economy than national chains.

The Andersonville Study of Retail Economics

<http://www.civiceconomics.com/Andersonville>

By Civic Economics, October 2004

This compelling study, commissioned by the Andersonville Development Corporation, finds that locally owned businesses generate 70 percent more local economic impact per square foot than chain stores. The study's authors, Dan Houston and Matt Cunningham of Civic Economics, analyzed ten locally owned restaurants, retail stores, and service providers in the Andersonville neighborhood on Chicago's north side and compared them with ten national chains competing in the same categories. They found that spending \$100 at one of the neighborhood's independent businesses creates \$68 in additional local economic activity, while spending \$100 at a chain produces only \$43 worth of local impact. They also found that the local businesses generated slightly more sales per square foot compared to the chains (\$263 versus \$243). Because chains funnel more of this revenue out of the local economy, the study concluded that, for every square foot of space occupied by a chain, the local economic impact is \$105, compared to \$179 for every square foot occupied by an independent business.

The Economic Impact of Locally Owned Businesses vs. Chains: A Case Study in Midcoast Maine [PDF]

<http://www.newrules.org/retail/midcoaststudy.pdf>

by the Institute for Local Self-Reliance and Friends of Midcoast Maine, September 2003.

Three times as much money stays in the local economy when you buy goods and services from locally owned businesses instead of large chain stores, according to this analysis, which tracked the revenue and expenditures of eight locally owned businesses in Midcoast Maine. The survey found that the businesses, with had combined sales of \$5.7 million in 2002, spent 44.6 percent of their revenue within the surrounding two counties. Another 8.7 percent was spent elsewhere in the state of Maine. The four largest components of this local spending were: wages and benefits paid to local employees; goods and services purchased from other local businesses; profits that accrued to local owners; and taxes paid to local and state government. Using a variety of sources, the analysis estimates that a national big box retailer operating in Midcoast Maine returns just 14.1 percent of its revenue to the local economy, mostly in the form of payroll. The rest leaves the state, flowing to out-of-state suppliers or back to corporate headquarters. The survey also found that the local businesses contributed more to charity than national chains.

Economic Impact Analysis: A Case Study [PDF]

<http://www.liveablecity.org/lcfullreport.pdf>

by Civic Economics , December 2002.

This study examines the local economic impact of two locally owned businesses in Austin, Texas---Waterloo Records and Book People---and compares this with the economic return the community would receive from a Borders Books store. The study finds that spending \$100 at Borders creates \$13 worth of local economic activity, while spending \$100 at the

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local stores generates \$45 in local economic activity. The difference is attributed to three factors: a higher local payroll at the independent stores (because, unlike Borders, none of their operations are carried out at an out-of-town headquarters office); the local stores purchased more goods and services locally; and the local stores retained a much larger share of their profits within the local economy.

4. EXISTING BUSINESSES AND JOBS

These studies look at how the arrival of a big-box retailer displaces sales at existing businesses, which must then downsize or close. This results in job losses and declining tax revenue, which some of these studies quantify.

Job Creation or Destruction? Labor-Market Effects of Wal-Mart Expansion

<http://www.missouri.edu/~baskere/papers/>

By Emek Basker, University of Missouri, Review of Economics & Statistics, February 2005

Often cited and typically misrepresented by Wal-Mart supporters, this study examines the impact of the arrival of a Wal-Mart store on retail and wholesale employment. It looks at 1,749 counties that added a Wal-Mart between 1977 and 1998. It finds that Wal-Mart's arrival boosts retail employment by 100 jobs in the first year—far less than the 200-400 jobs the company says its stores create, because its arrival causes existing retailers to downsize and lay-off employees. Over the next four years, there is a loss of 40-60 additional retail jobs as more competing retailers downsize and close. The study also finds that Wal-Mart's arrival leads to a decline of approximately 20 local wholesale jobs in the first five years, and an additional 10 wholesale jobs over the long run (six or more years after Wal-Mart's arrival). (Wal-Mart handles its own distribution and does not rely on wholesalers). This works out to a net gain of just 10-30 retail and wholesale jobs, and the study does not examine whether these jobs are part-time or whether they pay more or less than the jobs eliminated by Wal-Mart. The study also found that, within five years of Wal-Mart's arrival, the counties had lost an average of four small retail businesses, one mid-sized store, and one large store. It does not estimate declines in revenue to retailers that survive. Basker looked at the effect of Wal-Mart on retail employment in neighboring communities, but found that the confidence intervals were too large (meaning the results showed wide variation) to draw any conclusion about Wal-Mart's impact. (Her initial working paper, published in 2002, reported an average decline of 30 retail jobs in surrounding communities, but, after correcting an error, she determined the confidence intervals were too large to produce a precise result.)

Final Report on Research for Big Box Retail/Superstore Ordinance

http://www.lacity.org/council/cd13/houscommecdev/cd13houscommecdev239629107_04262005.pdf

prepared for the Los Angeles City Council by Rodino Associates, October 2003.

This study concludes that big box stores would harm low-income neighborhoods in Los Angeles by reducing competition, creating blight, lowering wages, and forcing new costs onto taxpayers. By pricing groceries as "loss leaders" and using higher margin non-grocery items to make up the difference, supercenters often force existing supermarkets out of business. Because grocery stores anchor many neighborhood business districts and shopping centers, their closure would harm other retailers and lead to vacancies in areas

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that are only now beginning to recover from years of economic decline. The report also finds that supercenters would negatively impact job opportunities by replacing union-wage supermarket jobs with a smaller number of lower-paying jobs. Fewer workers would have health care benefits, further burdening public hospitals and health care programs.

The Fiscal and Economic Impact of a Proposed Shopping Center Project on the City of Leominster

by Dr. Thomas Muller, August 2003.

This study examines the likely impact of a proposed 510,000-square-foot shopping center, which would include a Wal-Mart supercenter, a Lowe's, a department store such as Kohl's, and four chain restaurants. The study finds that the city already has more retail than residents can support. The proposed shopping center would dramatically worsen the situation. Its projected annual revenue of \$185 million is equivalent to 77 percent of the local market's current sales in building materials, groceries, and general merchandise. Since neither population nor incomes are growing, sales at the new shopping center would come entirely at the expense of existing businesses. Competing stores within a 5-6 mile radius would lose \$104 million in revenue. Those 5-6 miles further out would lose \$72 million. Because of the impact on existing businesses, the 869 jobs created by the center will be offset by about the same number of job losses. After accounting for the cost of providing city services to the new development and declining property tax revenue from existing businesses, the study concludes that the project would produce only \$51,000 in additional revenue, about \$3 annually for each of Leominster's 17,000 households.

The Impact of 'Big-Box' Building Materials Stores on Host Towns and Surrounding Counties in a Midwestern State [PDF]

http://amiba.net/pdf/stone_home_improvement_center_study.pdf

by Economics Professor Kenneth E. Stone and Extension Program Specialist Georgeanne M. Artz, Iowa State University, 2001.

This study examines several Iowa communities where big box building supply stores, such as Menards and Home Depot, have opened in the last decade. Sales of hardware and building supplies in the host community and surrounding counties are tracked over several years to test what the authors call the "zero-sum-game theory," namely that the retail sales gains generated by big box stores are offset by sales losses at existing, often locally owned, retail stores. The results confirm the theory, finding that sales of hardware and building supplies grow in the host communities, but at the expense of sales in smaller towns nearby. Moreover, after a few years, many of the host communities experienced a reversal of fortune: sales of hardware and building supplies declined sharply, often dropping below their initial levels, as more big box stores opened in the surrounding region and saturated the market.

What Happened When Wal-Mart Came to Town? A Report on Three Iowa Communities with a Statistical Analysis of Seven Iowa Counties

by Thomas Muller and Elizabeth Humstone, National Trust For Historic Preservation, 1996.

This study examined the impact of Wal-Mart on several Iowa communities. It found that 84 percent of all sales at the new Wal-Mart stores came at the expense of existing businesses within the same county. Only 16 percent of sales came from outside the county---a finding which refutes the notion that Wal-Mart can act as a magnet drawing customers from a wide

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area and benefiting other businesses in town. "Although some suggest that the presence of Wal-Mart outside of, but near to, the downtown area results in additional activity downtown, both sales data and traffic data do not show this gain," the study concludes. "None of the nine case studies was experiencing a high enough level of population and income growth to absorb the Wal-Mart store without losses to other businesses." The study documents losses in downtown stores after Wal-Mart opened. "General merchandise stores were most affected," the study notes. "Other types of stores that closed include: automotive stores, hardware stores, drug stores, apparel stores, and sporting goods stores." The supposed tax benefits of Wal-Mart did not materialize either: "Although the local tax base added about \$2 million with each Wal-Mart, the decline in retail stores following the opening had a depressing effect on property values in downtowns and on shopping strips, offsetting gains from the Wal-Mart property."

Competing with the Discount Mass Merchandisers

http://www.econ.iastate.edu/faculty/stone/1995_IA_WM_Study.pdf

By Dr. Kenneth Stone, Iowa State University, 1995

The basic premise of this study and others by Ken Stone is that the retail "pie" is relatively fixed in size (it grows only incrementally as population and incomes grow). Consequently, when a company like Wal-Mart opens a giant store, it invariably captures a substantial slice of the retail pie, leaving smaller portions for existing businesses, which are then forced to downsize or close. This study of Wal-Mart's impact on Iowa towns found that the average superstore cost other merchants in the host town about \$12 million a year in sales (as of 1995), while stores in smaller towns nearby also suffered substantial revenue losses. These sales losses resulted in the closure of 7,326 Iowa businesses between 1983 and 1993, including 555 grocery stores, 291 apparel stores, and 298 hardware stores. While towns that gained a Wal-Mart store initially experienced a rise in overall retail sales, after the first two or three years, retail sales began to decline. About one in four towns ending up with a lower level of retail activity than they had prior to Wal-Mart's arrival. Stone attributes this to Wal-Mart's strategy of saturating regions with multiple stores.

St. Albans, Vermont State Environmental Board Act 250 Decision, 1994

A cost/benefit analysis of a proposed Wal-Mart store in St. Albans, Vermont, found that the store would cause dozens of existing businesses to close, leading to a net loss of 110,000 square feet of retail space. The 214 jobs created by the new superstore would be offset by the loss of 381 jobs at other businesses. The analysis also found that the overall tax losses expected from the small business failures would be greater than the tax revenue generated by the new Wal-Mart. Moreover, the city would incur a variety of new costs to provide roads, sewers, police, and fire protection to service the sprawling new development. The analysis concluded that for every dollar in tax benefit created by the superstore, there would be 2.5 dollars in tax losses and public costs.

5. WAGES & BENEFITS

These studies examine the effect of big-box chains, particularly Wal-Mart, on wages and benefits for retail employees.

Wal-Mart: An Example of Why Workers Remain Uninsured and Underinsured [PDF]

http://www.aflcio.org/issuespolitics/healthpolicy/upload/Wal-Mart_final.pdf

By the AFL-CIO, October 2003

Unaffordable premiums, overly strict eligibility requirements, and major gaps in coverage characterize Wal-Mart's health insurance plan, according to this report. The annual premium a full-time Wal-Mart employee must pay for coverage for her and her spouse is \$2,672 (with a \$350 deductible), which amounts to about 19 percent of her pre-tax earnings. Part-time employees (under 34 hours per week) are only eligible to enroll after two years on the job and even then, coverage is available only for themselves, not their families. Full-time workers are eligible for family coverage after six months. Costly premiums and strict eligibility requirements result in only two in five Wal-Mart employees being covered by the company's health care plan, compared to a national average of 66 percent at large firms. Moreover, unlike nearly all other corporate health insurance plans, Wal-Mart's plan does not cover most basic services, including regular check-ups for adults and children, childhood immunizations, and routine screenings such as prostate exams.

The Impact of Big Box Grocers on Southern California: Jobs, Wages, and Municipal Finances [PDF]

http://www.coalition4tlc.org/big_box_study.pdf

Prepared for the Orange County Business Council by Dr. Marlon Boarnet of the University of California at Irvine and Dr. Randall Crane of the University of California at Los Angeles, 1999.

The most useful parts of this study deal with Wal-Mart's impact on wages. The study concluded that, as Wal-Mart builds supercenters in southern California, the company will absorb up to 20 percent of the region's grocery market and cut grocery workers' income by up to \$1.4 billion annually. Unionized supermarket workers in southern California make the equivalent of \$18.25 an hour in wages and benefits, according to the study, while Wal-Mart employees earn just \$9.63 per hour. As Wal-Mart expands in the region, it will replace high-wage jobs with low-wage jobs. It will probably also force unionized supermarket workers to accept substantial wage and benefit cuts to keep their employers competitive. The combined losses are estimated in the range of \$500 million to \$1.4 billion. The study also compares health insurance benefits at unionized supermarkets and Wal-Mart, and examines the tax and revenue implications of supercenter development.

6. POVERTY RATES

Counties that have gained Wal-Mart stores have fared worse in terms of family poverty rates, according to this study.

Wal-Mart and County-Wide Poverty

http://cecd.aers.psu.edu/policy_research.htm

by Stephan Goetz and Hema Swaminathan, Penn State University, October 2004

The presence of a Wal-Mart store hinders a community's ability to move families out of poverty, according to this study. After controlling for other factors that influence poverty rates, the researchers found that those U.S. counties in which new Wal-Mart stores were built between 1987 and 1998 experienced a significantly smaller reduction in their poverty

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rates than those counties that did not add new Wal-Mart stores. Overall, the portion of families living in poverty nationwide fell from 13.1 to 10.7 percent between 1989 and 1999. Counties that gained one Wal-Mart store showed an 8 percent smaller reduction in the poverty rate compared to the national average, while those that gained two Wal-Mart stores experienced a 16 percent smaller reduction in poverty. The researchers offer several explanations for their findings.

7. SUBSIDIES

Shopping for Subsidies: How Wal-Mart Uses Taxpayer Money to Finance Its Never-Ending Growth [PDF]

<http://www.goodjobsfirst.org/pdf/wmtstudy.pdf>

by Good Jobs First, August 2004

This study identifies 244 Wal-Mart stores and distribution centers in 35 states that have received state and local development subsidies totaling just over \$1 billion. The subsidies took many forms, including property tax rebates, free or reduced-priced land, and funding of site preparation and on-site infrastructure. Tax increment financing (TIF) ranked as one of the most common mechanisms used by local governments to underwrite Wal-Mart's growth. The total value of public giveaways to Wal-Mart is undoubtedly much higher than the \$1 billion documented by the report. Obtaining complete data on subsidies is virtually impossible. In most states, local governments and state agencies are not required to report subsidies, and there is no centralized record or database. Good Jobs First relied primarily on the online archives of local newspapers to assemble the list of subsidy deals, the details of which were confirmed by interviews with local officials.

8. CONSUMERS

Time to Switch Drugstores?

Consumer Reports, October 2003.

"If you're among the 47 percent of Americans who get medicine from drugstore giants such as CVS, Eckerd, and Rite Aid, here's a prescription: Try shopping somewhere else. The best place to start looking is one of the 25,000 independent pharmacies that are making a comeback throughout the U.S." opens this article, which presents the results of a year-long survey of more than 32,000 readers about their drugstore experiences. The survey found that, by "an eye-popping margin," independent drugstores outranked all other pharmacies--including drugstore chains, supermarkets, mass merchandisers (e.g., Wal-Mart), and internet companies---in terms of providing personal attention, offering health services such as in-store screenings, filling prescriptions quickly, supplying hard-to-find drugs, and obtaining out-of-stock medications within 24 hours. Prices at independent pharmacies were lower than at chain pharmacies, but higher than at mass merchandisers and internet companies.

Who is paying for the low, low prices of Wal-Mart?? We, the taxpayers!:

Revenue

Sales Tax per year (per Tom Huston, 8/31/05)	\$1,000,000.00
Real Estate Taxes per year (per Tom Huston, 8/31/05)	<u>300,000.00</u>
	\$1,300,000.00
Wal-Mart gets 84% of business from existing stores (Wal-Mart Stores Annual Report)	<u>-840,000.00</u>
	\$ 460,000.00
Residential property values decline, loss of commercial businesses that close (Retail Forward predicts that for every Wal-Mart Supercenter that opens, two local supermarkets will close, Business Week, 10/06/03)	<u>-150,000.00</u>
Cost of 29 Wal-Mart associates receiving Medicaid per year ("Wal-Mart & Medicaid in Nebraska and Iowa", June 2005)	-266,162.00
Congressional Report on Wal-Mart costs per year for <u>= 1,051,875.00</u>	<u>-420,750.00 x 2.5</u>

200 employee store. Tom Huston, (8/31/05) said this location will have 450 Wal-Mart Associates (Committee on Education and the Workforce Democratic Staff, U.S. House of Representatives, 2/16/04)

\$125,000 for federal tax credits and deductions for low-income families
 100,000 for Title 1
 108,000 for the federal share of state children's health program costs
 42,000 for housing assistance
 36,000 for free and reduced school lunches
 9,750 for low income energy assistance)

\$420,750

Net Revenue from sales tax and real estate taxes **\$- 376,912.00 or -**
1,008,037.00

Impact Fees vs. Road Improvements and Utility Relocation

Commercial impact fees per Marvin Krout, (8/31/05)	<u>5,000,000.00</u>
Residential impact fees per Marvin Krout, (8/31/05)	<u>4,000,000.00</u>
	<u>\$9,000,000.00</u>

Per Annexation Draft (Roads - \$3.1 million and Water, Park & Arterial \$1 million) **\$**
4,100,000.00

Costs to	1) Relocate electrical utilities/power towers*	\$
300,000.00		
	2) Lower and relocate the Murdock Trail Bridge**	
	1,000,000.00	
	3) Cost of watershed study (Peter Katt, 8/31/05)	
	50,000.00	

- 4) Extension of the 16" water main (\$80- \$100 per ft.)***
528,000.00
- 5) Widening of 84th to 6 lanes (2 more lanes for 3 miles)****
6,000,000.00
- 6) Widening of Adams Street to 4 lanes** (4 lanes, 1 mile)
4,000,000.00
- 7) Annual repair and maintenance on 40,000 traffic count
_____?

\$ 11,5
78,00
0.00

Net Expense to City for Infrastructure Costs
7,478,000.00

\$-

- * per draft Annexation agreement
- ** 14th Street bridge cost around \$850,000.00 – Public Works
- *** Public Works
- **** \$1 million per lane per mile – Public Works

November 4,
2005

Retail Stores are part of what economists call the non-basic sector, which exists solely to serve the so-called basic sector. The basic sector commonly includes agriculture, mining, and manufacturing and it is responsible for exporting good and services that bring "new money" into a community. As this new money is spent and re-spent in the community, economic growth occurs. While important (because it supports the basic sector), the non-basic sector does not play this role of bringing in new money, and it therefore makes a much smaller contribution to local economic growth over time than does the basic sector. Retail jobs are low-paying jobs.

Counties where a Wal-Mart is located experienced lower economic growth than counties without a Wal-Mart ("Wal-Mart and Economic Growth of Nebraska Counties," July 2005)

Several cities in Nebraska that had a Wal-Mart supercenter showed no increase in the tax revenue dollars to these cities. The cities were estimated to have more sales tax revenue per previous growth trends if the Wal-Mart hadn't opened. Study also showed that as the competition closes its doors, the Supercenter prices go up. ("Impact of Supercenters on Nebraska Economy," October 2003)

Communities which attracted more Wal-Mart stores between 1990 and 1999 registered highest poverty levels ("Wal-Mart and County-Wide Poverty," October 2004)

Wal-Mart hurts local businesses and communities

- 1 The average Wal-Mart store gets 84% of its business from existing stores in the area. (Wal-Mart Stores Annual Report, www.walmartstores.com) Retail Forward predicts that for every new Wal-Mart Supercenter that opens, two local supermarkets will close. (Business Week, 10/06/03)
 - 2 Town Centers and Main Streets are shuttered when Wal-Mart opens its big box stores. In towns without Wal-Marts that are close to towns with Wal-Marts, sales in general merchandise declined immediately after Wal-Mart stores opening. After ten years, sales decline by a cumulative 34%. (Impact of the Wal-Mart Phenomenon on Rural Communities, " Professor Kenneth Stone, Iowa State University)
 - 3 It was estimated that \$6 million dollars was spent last year by Nebraska taxpayers subsidizing Wal-Mart employees' health care bills. ("Wal-Mart & Medicaid: In Nebraska and Iowa," Nebraska Appleseed, June 2005)
 - 4 Counties where a Wal-Mart is located experienced lower economic growth than counties without a Wal-Mart ("Wal-Mart and Economic Growth of Nebraska Counties," UNL, July 2005)
 - 5 Nebraska cities' revenues experienced a decrease once a supercenter opened, meaning the cities were estimated to have more sales tax revenue per previous growth trends if the Wal-Mart hadn't opened. Study also showed that as the competition closes its doors, the supercenter prices go up. ("Impact of Supercenters on Nebraska Economy," Hometown Merchants Association, October 2003)
 - 6 San Diego County Taxpayers Association study showed for every ½ job Wal-Mart created, the city lost one and one-half full time jobs.
 - 7 The San Diego County Taxpayers Association calculated that an influx of big-box stores into San Diego would result in an annual decline in wages and benefits between \$105 million and \$221 million.
 - 8 A Congressional report estimates that every 200-employee Wal-Mart store costs federal taxpayers \$420,750 a year; \$36,000 for free and reduced school lunches; \$42,000 for housing assistance; \$125,000 for federal tax credits and deductions for low-income families; \$100,000 for Title I; \$108,000 for the federal share of state children's health program costs; \$9,750 for low income energy assistance (Committee on Education and the Workforce Democratic Staff, U.S. House of Representatives, 2/16/04)
 - 9 The United States Environmental Protection Agency fined Wal-Mart \$1 million, settling allegations that Wal-Mart violated the Clean Water Act with dirt discharges while building stores in Massachusetts, New Mexico, Oklahoma and Texas. (Wal-MartLitigation.com)
 - 10 Communities which attracted more Wal-Mart stores between 1990 and 1999 registered highest poverty levels ("Wal-Mart and County-Wide Poverty," October 2004)
-
- 1) Lincoln is all for development – good development that brings a genuine increase in good paying jobs with good benefits and not a reshuffling of the same workers for lower wage jobs and taking the same retail dollars away from our local independent merchants.
 - 2) We are creating a corridor of traffic congestion with such a large big box retail operation. The traffic analysis shows that traffic on 84th would double with this new development and big box retail creating traffic comparable to the existing volume at 27th and Cornhusker Hwy., one of the busiest intersections in Lincoln today.
 - 3) We, the taxpayers, not Wal-Mart or the developer, would end up paying for the additional road construction such as the widening of Adams and Holdrege Streets and other roadwork improvements for this development.

- 4) Impact studies show that Wal-Mart requires more in services than is offset by the taxes collected. (state subsidized health care benefits for its employees, public assistance programs and additional police.)
- 5) We are not unfriendly to new businesses. We already have two Wal-Marts that service our Lincoln community very well and we welcomed both stores. It takes less than 15 minutes to get to either of those stores. **2 is Enough!**
- 6) We know many of the local independent businesses would close because of this new Wal-Mart. This is bad for our local economy and our community.
- 7) Our independent merchants and businesses and their associates are some of the most generous supporters and contributors to local churches, schools and charitable events in Lincoln. As a percentage of sales, Wal-Mart doesn't even come close to donating back to communities when compared to donations by local independents. Wal-Mart would have to contribute over \$15 million not just \$25,000 to come even close to the percentages our businesses give and give on an annual basis!
- 8) **We need to listen to the community that this development impacts. The community was very clear and the decision of the City Council was very clear (in May 2005) that they want a smaller more neighborhood friendly development at this location and not a Wal-Mart. 2 is Enough!!!**

Tammy J Grammer/Notes

11/07/2005 07:45 AM

To CouncilPacket/Notes@Notes

cc

bcc

Subject Fw: 84th street supercenter

----- Forwarded by Tammy J Grammer/Notes on 11/07/2005 07:48 AM -----



"Mike Olson"

<mikeolson56@hotmail.com

>

11/04/2005 08:12 PM

To council@lincoln.ne.gov

cc

Subject 84th street supercenter

I THINK THE PROPOSAL BEFORE YOU FOR A BIG-BOX SUPER CENTER AT OR NEAR 84TH AND ADAMS IS THE WRONG IDEA AT THE WRONG TIME AND IN THE WRONG PLACE. I AGREE THAT ALL CITIES WILL GROW AND ANY GROWTH CREATES TAX REVENUE. HOWEVER, GROWING THE OUTSKIRTS OF THE CITY WHEN THE INTERIOR OF THE CITY IS IN NEED OF REDEVELOPMENT AND NEW LIFE IS ILL TIMED. DOWNTOWN HAS BECOME AN EYESORE AT BEST AS I CAN ATTEST BY RECENT OUTINGS. A QUIET EVENING WITH FRIENDS IN THE HAYMARKET WAS SOURED BY MID-LIFE CRISIS HARLEY MOBS THROTLING THROUGH THE STREETS JUST TO HEAR THIER OWN PIPES BLASTING. ANOTHER NIGHT OUT AT THE LIED CENTER WAS TARNISHED WHEN WE HAD TO WADE THROUGH MOBS OF HOMELESS ON THE SIDEWALK AND WERE SURPRISED TO FIND THEM STILL THERE AFTER THE PERFORMANCE URINATING IN DOORWAYS. THIS IS NOT THE DOWNTOWN WE WANT. PEOPLE WILL NEVER COME BACK TO DOWNTOWN IF WE CONTINUE PROVIDING ALL OUR RETAIL ON THE OUTSKIRTS. ACCORDING TO THE COUNTY TAX RECORDS ON THIS DATE THE DEVELOPER WHO SEEKS YOUR FAVOR HAS NOT PAID 2004 TAXES ON THE LAND AT 8501 ADAMS. BY THE CITY CODE HE WILL NOT BE GRANTED FAVOR. FURTHER, I DO NOT WANT THE CITY OF LINCOLN TO BE GATED IN, OR OUT DEPENDING ON YOUR VIEW, BY WAL-MART SUPER CENTERS. EVERY APPROACH TO THE CITY WILL BE LIT BY A SUPER CENTER PARKING LOT IF THIS COMPANY CONTINUES ITS MARCH. THE TRAFFIC COUNT NUMBERS ARE ASTONISHING ALSO. AS OF NOW A DRIVER CAN NOT ENTER 84TH ST TRAFFIC BETWEEN 6 AND 7 PM DUE TO THE COMMUTER RUSH FROM OMAHA. NOW ADD 35,000 MORE CARS. MORE TRAFFIC THAN 27TH AND CORNHUSKER? I HAVE TO LISTEN TO THE CONSTANT WHINE OF TIRES ON SCARIFIED CONCRETE TIL 11 PM NOW, NOT TO MENTION THE MOTORCYCLE RACES AT NIGHT, AND I THINK THE INTERSTATE HIGHWAY IS QUIETER. I SHOP AT MEADOW LANE . I LIKE IT. I SHOP AT MERIDIAN PARK AND I LIKE IT. I SHOP AT EAST PARK, HAVELOCK, AND BETHANEY AND I LIKE IT. THE HOME TOWN OWNERS OF THESE BUSINESSES ARE MY NEIGHBORS. I LIKE THEM. I DO NOT SHOP AT WAL-MART BECAUSE I DO NOT LIKE THE IMPERSONAL ATMOSPHERE. I BUY WEAVERS POTATO CHIPS. LET,S KEEP LINCOLN ALIVE BY NOT OVEREXTENDING OUR BOUNDRIES IN THE NAME OF TAX REVENUE.

RESPECTFULLY,
MICHAEL DOUGLAS OLSON
8017 SANBORN DRIVE
NORTHEAST LINCOLN

Tammy J Grammer/Notes

11/07/2005 07:47 AM

To CouncilPacket/Notes@Notes

cc

bcc

Subject Fw: Walmart

----- Forwarded by Tammy J Grammer/Notes on 11/07/2005 07:49 AM -----



"Don & Diane Crouch"

<dcrouch1@neb.rr.com>

11/05/2005 11:05 AM

To <council@lincoln.ne.gov>

cc

Subject Walmart

I am totally apposed to allowing a new Walmart anywhere on north 84th street. Traffic along north 84th street is already very heavy and bringing in a Walmart would make it unbearable. I believe we have a sufficient number of Walmart stores currently for a city our size. I do believe in growth and being business friendly but let's be friendly to companies that will provide decent jobs and add to the community. Walmart has become so powerful that they seem to be able to bully their way into any community they want – it's time to say no.

Tammy J Grammer/Notes

11/07/2005 07:47 AM

To CouncilPacket/Notes@Notes

cc

bcc

Subject Fw: Walmart near 84th and Adams

----- Forwarded by Tammy J Grammer/Notes on 11/07/2005 07:50 AM -----



Gretchen Goering
<ggoering@navix.net>

11/05/2005 08:09 PM

Please respond to
ggoering@navix.net

To council@lincoln.ne.gov

cc

Subject Walmart near 84th and Adams

Hello,

I would like to encourage you to do whatever it takes to not allow a Walmart near 84th and Adams. Originally, I was undecided about the Walmart and was actually leaning toward favoring it. But after thinking about it, that is not the right spot for a Walmart. Two in Lincoln is enough. Adams Street west of 84th is very narrow. It wouldn't support the amount of traffic a Walmart would create. Also, more importantly, Meadowlane and Havelock both have very good and unique business districts with great stores like the Wolfe Hardware in Havelock and Ace Hardware in Meadowlane. They shouldn't have to compete with a Walmart. The Walmart near 27th and Superior is close enough. Please don't destroy these local stores that bring a lot to the neighborhood with a retail giant that won't add anything but sprawl, traffic and litter to our neighborhoods. Thank you.

Tammy J Grammer/Notes

11/07/2005 07:47 AM

To CouncilPacket/Notes@Notes

cc

bcc

Subject Fw: Wal-Mart

----- Forwarded by Tammy J Grammer/Notes on 11/07/2005 07:50 AM -----



VKWFeline@aol.com

11/06/2005 05:44 PM

To council@ci.lincoln.ne.us

cc

Subject Wal-Mart

Dear Council Members -

I am writing for two reasons: 1) to hold Wal-Mart accountable for the public policy and economic consequences of their management practices & profit-making by denying them another site in Lincoln. Waltons hold over 700,000 times the income of the average worker in this country. That is extravagantly greedy & disproportionate. It is harmful to any chance of sharing the American dream, and swells the needs for public assistance. Wal-Mart is the poster boy for malignant capitalism. A living wage, self-sufficiency - is the value-based politics for business success **and** serving the public interest.

I heard Mr. Svoboda say he had employees who weren't worth more than minimum wage when we were discussing the living wage policy. However, without his employees he would not be enjoying his life-style. It is humane & proper for all employees to be compensated adequately.

Allegedly Wal-Mart spends \$4 million a day polishing its image, hiding its corporate irresponsibility. But, as a huge employer constituting 2% of the US Gross Domestic Product (\$258 billion in annual revenues) it wields its vicious practices wherever the public is kept ignorant or public servants fail to stand up to them. "A congressional report in 2004 found that a typical 200-employee Wal-Mart store cost federal taxpayers \$420,000 for children's health care, tax credits and deductions for low-income families. That equals about \$2,103 per Wal-Mart employee, or an annual welfare bill of \$2.5 billion for Wal-Mart's 1.2 million employees in America. What that boils down to is that Americans subsidize Wal-Mart so that its stockholders can continue to reap huge profits." (quoted from editorial by Don Hazen, altnet.org, posted October 10, 2005)

As elected officials, you are required to serve the public interests. That is the proper & essential role of government in our democracy & different from the goal of the private sector. Which brings me to the second reason for writing: 2) to public officials responsible for taking back the purpose of government from serving the private sector to serving the public interests, which includes economic development. Public officials have become too cozy with the LIBA's, Chambers of Commerce, League of Municipalities in regarding the business interests as more important than the public interests. I believe the public interests must be first & foremost & that it is your duty to serve the public interests first, which includes working with the private sector, analyzing all the details - but just because a corporation asks, doesn't mean government must agree. Especially in the case of Wal-Mart where ample evidence exists to show the negative impact on the public budget, quality of economic life for most of its employees. Now they care to spent millions on PR & image marketing rather than any structural change in their methods that would support humane, honest policies.

For the privileged who have not lived the life of economic vulnerability, they see Wal-Mart as tax income & great for disposable income. Stand up for real employment opportunities, with full affordable benefits, and living wages. Two Wal-Marts in Lincoln is more than enough. Vote no to the Wal-Mart proposal.

Ginny Wright
814 Lyncrest Drive
Lincoln, NE 68510
489-6239

Tammy J Grammer/Notes
11/07/2005 07:48 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: Development at 84th & Adams-Wal-Mart

----- Forwarded by Tammy J Grammer/Notes on 11/07/2005 07:50 AM -----



Brad Parker
<bimperk@yahoo.com>
11/06/2005 08:20 PM

To council@ci.lincoln.ne.us
cc
Subject Development at 84th & Adams-Wal-Mart

Dear Council:

My husband and I are unable to come to the meeting on Mon., Nov. 7 because we need to work to maintain our lifestyle. Part of maintaining our lifestyle is to protect our investment in our home in Prairie Village (SE corner of 84th & Adams). We are unequivocally opposed to a Wal-Mart in NE Lincoln. The traffic concerns will be a nightmare similar to the poor planning at 84th & Pine Lake. Wal-Mart will bring in more traffic from all over the city. Adams Street is a two-lane, partially residential street. These homeowners are looking at a significant decrease in property value because of the future increased traffic flow Wal-Mart will bring. NE Lincoln needs a grocery store, that is indisputable, but Lincoln does not need another Wal-Mart with cut-rate prices made possible through poor wages and advantageous overseas contracts. Even Russ Reybold does not want to compete with another Wal-Mart. Russ Reybold and his stores are important to Lincoln, he has been here building with Lincoln for many years. Will Wal-Mart abandon their 27th & Superior store after this store is open? There are several locations, such as in Omaha & Seward, where Wal-Mart has done this. Is this good for Lincoln's economy to have more large buildings that are unoccupied? The Havelock community has worked hard to support the community. There will be a substantial impact on the retail businesses in that area. How can the city council totally overrule the Planning Commission's opinion on development of this area? Please plan for the traffic before building begins in this area. Why does Lincoln have to do everything backwards when it comes to development and traffic flow? We are against another Wal-Mart in Lincoln, we are against big business with no concern for its employees or its neighboring competitors. We want to protect not only our property value but the integrity of NE Lincoln.

[Yahoo! FareChase - Search multiple travel sites in one click.](#)

Tammy J Grammer/Notes
11/07/2005 07:48 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: Walmart

----- Forwarded by Tammy J Grammer/Notes on 11/07/2005 07:50 AM -----



Donna
<1stbaddtimes@earthlink.net
>

11/06/2005 09:04 PM

Please respond to
Donna
<1stbaddtimes@earthlink.net>

To pnwman@lincoln.ne.gov, jcook@lincoln.ne.gov,
council@lincoln.ne.gov
cc
Subject Walmart

This is in response to the hearing on Monday, November 7, 2005 at 1:30 p.m. on the possibility of expanding the Lincoln base of Walmart Stores from two to three of the five that Walmart hopes to eventually build. I would like to testify in person on this proposal, however, I have been, and continue to be, primary caregiver for my father for the last two months, having undergone heart surgery and multiple complications. Therefore, unfortunately, I am unable to be present at the hearing tomorrow. Please make note of the following reasons that I and my family vehemently oppose yet another Walmart in the Lincoln area:

1. Walmart is a drain on any community because of the inadequate salaries and benefits offered to employees.
2. Consequently, citizens employed by Walmart qualify for medicaid. Dependents of employees qualify for free or reduced lunch, WIC, and other government supported programs.
3. Local independent businesses are oftentimes forced out of business through the "under pricing" of Walmart. Having grown up in Havelock, it would be a sad day when local "unique" businesses have to close their doors because Walmart supplies the sub-quality Chinese supplied products; yet again, undermining the American way of life.
4. It has been clearly documented that once Walmart forces competitors out of the market, prices return to or exceed pre-Walmart levels. Therefore, the local consumer benefits not in the least.
5. Walmart has virtually destroyed American manufacturing by forcing companies to go to low wage countries, primarily China, to provide cheap, sub-standard products to enhance profit for the owners.
6. Profits generated through the Walmart stores return to the Walmart family to the tune of approximately \$5 billion per family member each year; not residents of Lincoln or Nebraska. The Walmart dynasty provides much less support back into the community than do local, interested, family-owned businesses.

Please note that our family has vowed and will continue to NEVER shop at a Walmart. We would like to continue to see Lincoln as a home-town feeling

despite our growth. Furthermore, we would like to see the Lincoln social structure provide opportunities for our citizens, rather than bleed the governmental programs as the cost of a sub-standard, huge, conglomerate structure such as Walmart.

Respectfully,

Roger & Donna Baddeley, registered voters

Claire & Brad Baddeley, citizens of Lincoln

Tammy J Grammer/Notes
11/07/2005 07:49 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: Editorial about Walmart

----- Forwarded by Tammy J Grammer/Notes on 11/07/2005 07:51 AM -----



"mbrady"
<mbrady@inebraska.com>
10/21/2005 10:03 AM

To <council@lincoln.ne.gov>
cc
Subject Editorial about Walmart

Council members:

Please find attached an editorial I sent to LJS for their Sunday Walmart article. I do not know if this will be printed in the paper. I do know that you have received other correspondence from me pertaining to this very issue.

Thankyou for your time
Dave Brady

To whom it may concern

I am writing about your November 6, 2005 Walmart article in the Sunday Lincoln paper. I cannot believe you people actually go out and solicit input from Russ's IGA about what they think of their competitor and publishing it as if we are supposed to be sympathetic. Have you socialists ever heard of free enterprise?

It is absolutely laughable that you trash Walmart about how socially unacceptable they are when it comes to paying their employees enough to keep them off of welfare and yet your BURY the fact Russ's has employees that do the same thing. Your double standard is a joke as well as this article and this paper. The Journal Star has hit an absolute new low. I am glad I subscribe to the Daily World Herald to get a reality check.

Sincerely yours

Dave Brady

7912 Yellow Knife Drive

Lincoln, NE 68505

Home phone: 466-1534

Cell phone: 525-0480

Tammy J Grammer/Notes

11/07/2005 07:49 AM

To CouncilPacket/Notes@Notes

cc

bcc

Subject Fw: Enough Wal-marts!!!!

----- Forwarded by Tammy J Grammer/Notes on 11/07/2005 07:52 AM -----



"Doc and Dee Mullet"
<mullet@neb.rr.com>

11/07/2005 04:47 AM

To <council@lincoln.ne.gov>

cc

Subject Enough Wal-marts!!!!

Please DO NOT vote to allow the proposed Wal-mart in north Lincoln. It should be clear that despite all their rosy talk, Wal-mart is known for low paying jobs with minimal benefits, & have a huge negative impact on locally owned businesses. Not to mention they've been caught using illegal, undocumented workers! We don't need a Wal-mart in every part of Lincoln; it's neither the "right" of citizens or Wal-mart. It's much more important to recognize, promote & encourage locally owned businesses who actually give a damn about our citizens, & not in sending our money to Arkansas. Let's leave Lincoln money in Lincoln!

This is a no-win situation for Lincoln just so a limited population of our city can have the "convenience" of a store in their area, at the expense of the rest of working people & businesses. Let's face it, it's not that far to drive from N84th to N27th, & if those wanting that "convenience" can't afford the gas to drive to 27th str, then they should be saving their money & supporting local jobs.

SAY NO to Wal-mart, & tell them we don't need any more of their stores in Lincoln. Maybe Omaha doesn't have enough Wal-marts.

Thank you from someone who votes!

Doc Mullet



RECEIVED
NOV 03 2005
CITY COUNCIL
OFFICE

November 3, 2005

Jeff Lewis
360 SW 27th Street
Lincoln, NE 68522

Dear Jeff,

I am writing to follow up your recent communication to the Lincoln City Council on the assessments for the 2004-05 Maintenance and Management Business Improvement Districts (BIDs) administered by the DLA.

I have enclosed a copy of your six year assessment history illustrating that your annual assessments have significantly decreased due to your building's classification as a residential property, which is assessed in the downtown BID at only 26% of the commercial property assessment rate.

I have also spoken with DLA Maintenance Director Gene Langdale about your concerns on our maintenance services to your property and we would offer the following:

1. You and your block are receiving litter pick up seven days a week but since we do this work prior to 7:00 a.m., you and your tenants may not see our crew.
2. The planter on the dock outside your building is planted and maintained by DLA in partnership with master gardener volunteers.
3. DLA has nothing to do with snow removal in your area other than keeping the handicap ramps cleared of snow during a snowstorm. The portable parking curbs mentioned in your communication to City Council were temporary during the 8th Street streetscape improvement project and have been removed.
4. Until the completion of the 8th Street project, the sidewalks outside your building were too narrow to accommodate our sidewalk sweepers and your dock is private property which DLA does not maintain.

DLA looks forward to including your property on our December 4th Downtown Holiday Home Tour; over 450 people toured downtown properties in our 2004 tour. Your building is also featured at no cost to you in the Downtown Living page of our DLA website, www.downtownlincoln.org. Our website receives over 500,000 hits a month and in the last year, the Downtown Living page saw almost 20,000 downloads or page views. Our Downtown Living page provides a direct link to your website. If there are any changes you would like made to your information, please let us know.

Thanks for completing the recent survey on BID services and priorities. As always, I am happy to visit with you about how DLA can better serve you and we welcome your suggestions.

Sincerely,

A handwritten signature in cursive script that reads "Polly McMullen".

Polly McMullen, President
Downtown Lincoln Association

CC: Lincoln City Council
Ann Harrell

Downtown Lincoln Association
B.I.D. Assessment History

PROPERTY OWNER: RESEARCH & DEVELOPMENT CORP

	2000 Assessment	2001 Assessment	2002 Assessment	2003 Assessment	2004 Assessment	2005 Assessment
1. 311 N. 8th St.						
Assessed Value	\$278,200	\$483,784	\$483,784	\$500,387	\$574,038	\$574,038
Management BID:						
Downtown	\$316.05	\$477.97	\$532.73	\$487.67	\$139.70	\$141.55
Core	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$316.05	\$477.97	\$532.73	\$487.67	\$139.70	\$141.55
Front Footage	56.33	56.33	56.33	56.33	56.33	56.33
Maintenance	\$155.04	\$163.02	\$167.91	\$171.27	\$171.27	\$177.05
MANAGEMENT TOTAL:	\$316.05	\$477.97	\$532.73	\$487.67	\$139.70	\$141.55
MAINTENANCE TOTAL:	\$155.04	\$163.02	\$167.91	\$171.27	\$171.27	\$177.05
TOTAL:	\$471.09	\$640.99	\$700.64	\$658.94	\$310.97	\$318.60

FAX COVER SHEET

Brian J. and Dana L. Meves
8970 Frairie Village Drive
Lincoln, NE 68507
(402) 327-8980

Send to: Lincoln City Council Office	From: Brian J. and Dana L. Meves
Attention: Ken Svoboda	Date: November 5, 2005

Total pages, including cover: 3

Comments:

Please review our concerns regarding the Prairie Homes developer and Wal-Mart proposal before today's meeting.

Thank you,

Brian J. and Dana L. Meves

Brian J and Dana L Meves
8970 Prairie Village Drive
Lincoln NE 68507
402-327-8980

November 5, 2005

City Council Office
County-City Building
555 S 10th Street
Lincoln NE 68508

Dear Council member Ken Svobada:

We are writing a third letter of concern regarding the big box retail site near 84th and Adams. Make no mistake; we stand firm behind our concerns outlined in our first and second letters dated February 20th and June 5, 2005.

We are strongly against any big box retailer at OR near 84th and Adams Street. Our first letter of concern indeed spoke of Wal-Mart. This company is one of many showing interest. Again, our main concerns are with traffic safety, including traffic congestion, lack of shoulders and turn lanes, drainage, and water runoff.

We know first hand how important these issues are, as we are residents of Prairie Village located at 90th and Adams. When we began the process of building in late 2003, we specifically questioned what was planned for commercial zoning. Representatives for Prairie Homes answered without hesitation. Stating on the southeast corner would be a mail structure, and the newly acquired northeast side would be residential. No mention of big box retailers or zoning changes.

As stated in our first letter, we would be very pleased with a mall or structure under 80,000 square feet on either the northeast or southeast corners of 84th and Adams. We feel these could handle traffic flow better. As we heard Wal-Mart representatives testify at the public hearing they estimated for this location and the size of the city, to draw traffic from 17.5 miles away. This is a huge concern. This is not local traffic. How could this make our neighborhood flourish as the development representatives testified to? More people from outside of our neighborhood would be frequenting our area. We are closer to each Wal-Mart than the 17.5 miles. Therefore, another location is not needed. I am within miles of all ShopKo, Target, and Walgreens stores. The radius of 17.5 miles worth of traffic traveling on the roads and in our neighborhood, which lack shoulders, turn lanes and drainage systems is of great concern.

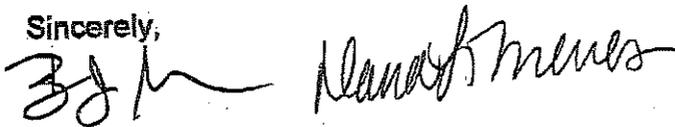
Drainage and water runoff is a current issue for our neighborhood. With the rain received this year, we have witnessed flooding and standing water at 88th and Adams on several occasions. This water runoff flows directly to the creek in our backyard. We have attached pictures documenting the water runoff and drainage concerns in our letter dated June 5, 2005. The water runoff is from the northeast of 84th and Adams. It travels over Adams Street through the church property, making several tributaries leading to the creek. The creek then overflows, coming close to property lines. Again, drainage is just one of our concerns. I personally called Council Member Patte Newman on May 23, 2005 and discussed this issue with her.

We do not feel these issues should be corrected from any aid a big box company may be willing to donate. It does not matter to us if the \$4.5 million is from the big box retailer or "donated" via the Prairie Homes developer. Even though Prairie Homes built our house, we do not believe they are putting community first or are seeking to create a diversified community. Business is business. They are not providing \$4.5 million out of the kindness of their heart. This is part of the business deal they have created together. Many streets would need to be modified. Traffic would not only increase on Adams or 84th Street. There are other arterials involved.

I have been employed for six years with a well-respected group of physicians serving the Lincoln community and the state of Nebraska for more than 30 years. I believe every one is deserved of the best possible healthcare. We are also taxpayers. We are concerned with the declining state budget and the \$7.7 million spent last year to provide food, shelter, healthcare, childcare and many other services provided by our state to these big box employees. Wal-Mart claims the third location will generate 400 jobs, and \$900,000 in sales tax revenue. This is not additional revenue. They would be robbing Peter to pay Paul. Frankly, \$900,000 in exchange for \$7.7 million in state aid does not seem like a good return on investment. Additional funding would be needed for the 400 employees since full time at Wal-Mart is 28 hours.

We would love a grocery store like Super Saver in the newest proposed site of a big box retailer, a quarter-mile north of 84th and Adams Street. As responsible registered voters, we would like to thank you for your service to the community of Lincoln.

Sincerely,



Brian J and Dana L Meves

Tammy J Grammer/Notes
11/07/2005 08:28 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: Public Hearing - Nov. 7, 2005

----- Forwarded by Tammy J Grammer/Notes on 11/07/2005 08:31 AM -----



Teresa L Andersen
<tandersen2@unlnotes.unl.
edu>
11/07/2005 08:20 AM

To council@lincoln.ne.gov
cc
Subject Public Hearing - Nov. 7, 2005

I will be unable to attend the Public Hearing today which addressed the proposed Wal-Mart Supercenter in the Prairie Village North development, but wanted to add my comments.

I agree with the comments I have heard voiced that this would add unnecessary traffic congestion to the area and only reapportion existing retail dollars. Nothing positive would be gained from the addition of a WalMart to the area. They claim that this area of Lincoln is SO in need and underserved. That is not how I see it and I live near Kohls at 525 Trail Ridge Circle. WalMart is not the positive influence in a community it likes to paint itself to be and Lincoln already has two - - We don't need a third in NE Lincoln.

Teresa Andersen
QC Microbiology Laboratory Manager
Biological Process Development Facility
University of Nebraska - Lincoln
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Lincoln, NE 68588-0688
(402) 417-5877
FAX (402) 472-4985

Tammy J Grammer/Notes
11/07/2005 08:29 AM

To CouncilPacket/Notes@Notes
cc
bcc
Subject Fw: InterLinc: Council Feedback

----- Forwarded by Tammy J Grammer/Notes on 11/07/2005 08:31 AM -----



**DO NOT REPLY to this-
InterLinc**
<none@lincoln.ne.gov>
11/07/2005 08:23 AM

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

InterLinc: City Council Feedback for
General Council

Name: Teresa Andersen
Address: 525 Trail Ridge Circle
City: Lincoln, NE 68505
Phone: 402-484-6959
Fax:
Email: tandersen2@unl.edu

Comment or Question:

I opposed the proposed WalMart in the Prairie Village North development near 84th & Adams. I agree with the opinions I've heard that it will add unnecessary traffic congestion to the area and does not add valuable jobs to our economy. There are 2 WalMarts to serve those in the Lincoln area who choose to shop there. Other retail venues offer goods to those of us who do not. Those outlets are available in NE Lincoln - ShopKo at 66&O and Target at 48&O - Neither is all that far removed. WalMart has proven it's not the corporate citizen it's portrayed itself to be in the past and it's not something I want in my neighborhood.