

**IN LIEU OF  
DIRECTORS' MEETING  
MONDAY, SEPTEMBER 25, 2006**

**I. MAYOR**

- \*1. NEWS ADVISORY - RE: Mayor Seng will be joined by U.S. Cellular representatives at a news conference at 9:30 a.m. 09/21/06 at McPhee Elementary School.
- \*2. Washington Report - September 15, 2006.

**II. DIRECTORS**

**FINANCE/BUDGET**

- \*1. Material from Steve Hubka - RE: September Sales Tax.

**HEALTH**

- \*1. NEWS RELEASE - RE: Clean Up Litter From Shorelines Of Local Lakes-Join volunteers worldwide as part of the International Coastal Cleanup.

**PLANNING**

- \*1. Response E-Mail from Jean Walker to Ben Schiltz - RE: Support: County Special Permit #06051, Nebraska Motorplex race track.

**PLANNING COMMISSION FINAL ACTION ....**

- \*1. Use Permit #06005 (South 40<sup>th</sup> Street and Yankee Hill Road) Resolution No. PC-01016.
- \*2. Special Permit #06048 (North 48<sup>th</sup> Street & Cornhusker Highway) Resolution No. PC-01014.
- \*3. Comprehensive Plan Conformance No. 06011 (Permanent Conservation Easement - People's City Mission, NW corner of 2<sup>nd</sup> Street and S Street, and 2<sup>nd</sup> Street between Q and R Streets) Resolution No. PC-01015.

- \*4. Special Permit No. 06046 - Dakota Springs Community Unit Plan (S.W. 2<sup>nd</sup> Street and W. Saltillo Road) Resolution No. PC-01017.

### **PUBLIC WORKS & UTILITIES**

- \*1. Response E-Mail from Scott Opfer to Mr. Restau - RE: 27<sup>th</sup> & Sumner Pedestrian Signal.
- \*2. E-Mail from Nicole Fleck-Tooze - RE: Clarification regarding 06R-181 (Approved 9/18).

### **WEED CONTROL AUTHORITY**

- \*1. Combined Weed Program - City of Lincoln - August 2006 Monthly Report.

## **III. CITY CLERK**

## **IV. COUNCIL REQUESTS/CORRESPONDENCE**

### **ANNETTE McROY**

- 1. Request to Harry Kroos, Public Works & Utilities Dept.-Sidewalks - RE: Sidewalk Repair (RFI#172 - 8/17/06)

## **V. MISCELLANEOUS**

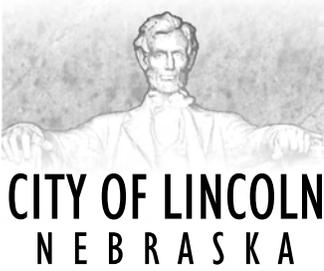
- \*1. E-Mail from Ronald Hense - RE: In support of Motorsports Facility in Lancaster County.
- \*2. E-Mail from David Zachek - RE: In support of Motorsports Facility in Lancaster County.
- \*3. E-Mail from Justin Willadsen - RE: In support of Motorsports Facility in Lancaster County.
- \*4. E-Mail from David Newman - RE: In support of Motorsports Facility in Lancaster County.

- \*5. E-Mail from Justin Pfeiffer - RE: In support of Motorsports Facility in Lancaster County.
- \*6. E-Mail from Joshua Ekstrum - RE: In support for Mr. Greg Sanford and the building of a NHRA drag strip.
- \*7. E-Mail from Tom Weksser - RE: Strongly urge you to oppose Zoning Change Pius X for the following reasons.
- \*8. 5 E-Mails from Shannon McGovern - RE: In support of the Drag strip in Lancaster County.
- \*9. E-Mail from Chris Stokes, OMALiNK, Inc. - RE: Press Release - OMALiNK Can Now Serve Lincoln, PSC Reverses Decision-Company Affirms Limousine Authority, and Gains Open Class Authority to Operate its Vans within Lincoln.
- \*10. E-Mail from Wayne Boles - RE: City Funding.
- \*11. E-Mail from Tom & Twyla Hansen - RE: Railroad Crossing at 44<sup>th</sup> & Cornhusker Hwy.
- \*12. E-Mail from Ben Schiltz - RE: Nebraska Motorplex race track.
- \*13. Letter from George Green, President, Capital Humane Society Board of Directors - RE: Writing on behalf of Capital Humane Society with a concern about the Council's response to the comments of Mr. Meyer during the Council Meeting of September 11, 2006.
- \*14. E-Mail from Sheila Wall - RE: Downzoning 40<sup>th</sup> & A Neighborhood.

## **VI. ADJOURNMENT**

**\*HELD OVER UNTIL OCTOBER 2, 2006.**

da092506/tjg



# NEWS ADVISORY

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MAYOR COLEEN J. SENG

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

## OFFICE OF THE MAYOR

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

**DATE:** September 20, 2006

**FOR MORE INFORMATION:** Dave Norris, Citizen Information Center, 441-7547

Mayor Coleen J. Seng will be joined by U.S. Cellular representatives at a news conference at **9:30 a.m. Thursday, September 21** at **McPhee Elementary School, 820 S. 15th St.**

U.S. Cellular will be making a presentation to the City's Community Learning Centers.



**INSIDE:**

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GOV'T REFORM.....1  
WATER RESOURCES.....2  
GRANT OPPORTUNITIES.....2

**SENATE CLEARS PORT SECURITY MEASURE**

**TRANSPORTATION**

Senate unanimously passes port security bill with additional funds for transit security. The measure (HR 4954) is designed to assist U.S. ports in preventing terrorists from using sea cargo containers to smuggle a weapon of mass destruction into the United States. With the federal government focusing much of its resources on air security, many experts have insisted that ports are now among the most vulnerable targets.

The measure would authorize \$400 million annually through FY 2011 at the Department of Homeland Security (DHS) for port security, as well as \$213 million per year through FY 2010 for the Customs-Trade Partnership Against Terrorism, which is a voluntary program that rewards trusted shippers with fewer inspections.

Senators added \$3.4 billion in DHS grants for mass transit security enhancements. Under the measure, the Federal Transit Administration would create a vulnerability assessment system for the nation's transit agencies and DHS would distribute the funds based on need from the information they receive. Eligible activities include: tunnel protection, chemical, biological, radiological, and explosive detection systems, and surveillance technologies as well as perimeter security programs. Another \$1.2 billion in rail security was also added to the port bill, with more than half of those funds earmarked for tunnel safety and security enhancements at New York's Penn Station, which is visited by over 500,000 commuters daily.

The bill also includes an amendment to require Voice over Internet Protocol (VoIP) providers to offer E-911 service to their customers. The language also preserves the ability of states and local governments to assess fees from VoIP providers for

emergency 911 services.

The House passed its version in May but it does not include rail and transit funding or the VoIP provision. Differences between the two chambers' bills will likely lead to a difficult conference. The House and Senate hope to conference the bill promptly, however, with only nine days left in session and a tightly packed congressional calendar; negotiations are not expected to begin until Congress returns for its lame-duck session in November.

**GOVERNMENT REFORM**

House passes earmark reform rule. The House approved a change (HR Res 1000) to its rules that will prohibit the House from considering any bill reported by Committee or any conference report unless the committee report or conference report accompanying the bill includes a list of all of the bill's earmarks and the name of the Member who requested each earmark. The House approved the rules change 245-171 despite the objections of the Appropriations Committee, who believe that their earmarks are being held to a more stringent standard than other committees, and the Democratic leadership, who believe the measure does not go far enough.

As passed by the House, the bill defines an earmark as a provision in a bill requiring the expenditure of funds to benefit a specific entity or a revenue-losing provision in a bill that would benefit a single entity. In the case of local governments, such a provision would be considered an earmark only if it "specifies the specific purpose for which the designated budget authority is to be expended." At this point, it remains unclear how committee reports will address situations in which more than one Member requested the same earmark and how conference reports will address situations in which a House Member and a

*Washington Report*

*Archived at:*

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

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Senator have requested the same earmark. Appropriators also object to the fact that an arm of the tax-writing committee will make the final decision on whether a provision falls under this rule.

Supporters of the measure argue that it will bring greater accountability and openness to House proceedings and address public concerns about earmarking and lobbying that arose earlier this year in the wake of the Jack Abramoff scandal.

Opponents, led by the Democratic leadership and Rules Committee Democrats, counter that the measure is too little, too late and is a poor substitute for comprehensive lobbying and earmark reform legislation. The House and Senate have both passed such legislation but a House-Senate Conference Committee has been unable to resolve the differences between the two bills. Opponents also argue that the rules change is full of loopholes, saying that it could be avoided by skipping Committee consideration of a bill and bringing it directly to the House floor or by adding earmarks in a manager's amendment once the bill has reached the House floor. They also point out that the new rule allows the Rules Committee to disallow procedural challenges to a bill under this rule.

## WATER RESOURCES

Quest to approve WRDA bill this year picks up momentum. Breaking a long stalemate over reauthorization of the Water Resources Development Act (WRDA), the House officially named conferees to a House-Senate committee that will iron out the differences between the two competing measures.

Traditionally, Congress approves a WRDA bill – which authorizes flood control, navigation, and other water-related projects -- every two years, but arguments over the manner in which the U.S. Army Corps of Engineers administers flood control projects has prevented a bill from becoming law since 2000. Proponents of "Corps reform" such as Senators John McCain (R-AZ) and Russ Feingold (D-WI) have hoped to include stringent measures that would mandate independent reviews of the environmental and economic effects of the projects.

In addition to Corps reform, conferees must address the cost differences between the two bills. The Senate version (S 728) is currently \$2 billion more expensive than the House version (HR 2864). Also at issue are concerns from Members of Congress of Gulf Coast states over hurricane protection of levees.

The Senate is expected to name conferees shortly. Staff from the House and Senate have already started work on a compromise, and there are reports that a package for consideration could be ready as soon as September 21.

In a related item, a House subcommittee approved two bills this week regarding dam safety. The House Transportation and Infrastructure Subcommittee on Economic Development, Public Buildings, and Emergency Management considered legislation (HR 4981) that would authorize \$12.7 million annually through 2011 for dam safety programs. Currently FEMA is authorized to expend approximately \$8.6 million per year for dam safety programs. The bill would also require the Corps of Engineers to maintain and update a National Dam Inventory.

The subcommittee also approved a measure (HR 1105) that would authorize \$350 million in grants to states and local governments for dam repair. The grant program would be established at FEMA, and the federal share of a project could not exceed 65 percent.

The Senate has language on dam safety similar to that of HR 4981 in its pending WRDA bill, while the companion bill in the Senate (S 2444) to HR 1105 has yet to be considered.

## GRANT OPPORTUNITIES

### Department of Housing and Urban Development, September 15, 2006:

HUD has published a notice that it has reopened the Lead Hazard Reduction Demonstration Program since a technical error in the first notice (March 8, 2006) resulted in an insufficient number of eligible applicants. HUD now has approximately \$39 million in FY 2006 funds remaining and expects to make between 10-15 new awards. The deadline for applications is October 31, 2006. Pages 54554-54564 of the *Federal Register*.

**Actual Compared to  
Projected Sales Tax Collections**

	2006-07 PROJECTED	2006-07 ACTUAL	VARIANCE FROM PROJECTED	\$ CHANGE FR. 05-06	% CHANGE FR. 05-06
SEPTEMBER	\$4,424,347	\$4,546,247	\$121,900	(\$3,081)	-0.07%
OCTOBER	\$4,619,540				
NOVEMBER	\$4,619,540				
DECEMBER	\$4,321,330				
JANUARY	\$4,435,191				
FEBRUARY	\$5,628,031				
MARCH	\$4,115,294				
APRIL	\$3,909,258				
MAY	\$4,559,898				
JUNE	\$4,402,660				
JULY	\$4,446,036				
AUGUST	\$4,738,824				
<b>TOTAL</b>	<b>\$54,219,949</b>	<b>\$4,546,247</b>	<b>\$121,900</b>	<b>-\$3,081</b>	<b>-91.62%</b>

**CITY OF LINCOLN  
GROSS SALES TAX COLLECTIONS  
(WITH REFUNDS ADDED BACK IN)  
2001-2002 THROUGH 2006-2007**

	<b>ACTUAL 2001-2002</b>	<b>ACTUAL 2002-2003</b>	<b>ACTUAL 2003-2004</b>	<b>ACTUAL 2004-2005</b>	<b>% CHG. FR. PRIOR YEAR</b>	<b>ACTUAL 2005-2006</b>	<b>% CHG. FR. PRIOR YEAR</b>	<b>ACTUAL 2005-2006</b>	<b>% CHG. FR. PRIOR YEAR</b>
<b>SEPTEMBER</b>	\$3,844,150	\$4,239,938	\$4,453,875	\$4,648,160	4.36%	\$4,630,210	-0.39%	\$4,573,597	-1.22%
<b>OCTOBER</b>	\$4,116,763	\$4,464,191	\$4,670,587	\$4,706,690	0.77%	\$4,823,369	2.48%		
<b>NOVEMBER</b>	\$4,125,824	\$4,407,744	\$4,526,166	\$4,687,792	3.57%	\$4,799,275	2.38%		
<b>DECEMBER</b>	\$3,855,906	\$4,034,958	\$4,314,111	\$4,500,338	4.32%	\$4,511,403	0.25%		
<b>JANUARY</b>	\$4,140,990	\$4,046,633	\$4,335,924	\$4,264,010	-1.66%	\$4,342,902	1.85%		
<b>FEBRUARY</b>	\$4,982,568	\$5,224,986	\$5,531,405	\$6,086,841	10.04%	\$5,797,893	-4.75%		
<b>MARCH</b>	\$3,908,567	\$4,076,943	\$3,980,041	\$4,158,874	4.49%	\$4,247,908	2.14%		
<b>APRIL</b>	\$3,641,403	\$3,711,803	\$3,889,388	\$4,097,988	5.36%	\$3,991,159	-2.61%		
<b>MAY</b>	\$3,949,873	\$4,184,028	\$4,602,788	\$4,730,317	2.77%	\$4,543,369	-3.95%		
<b>JUNE</b>	\$3,856,119	\$4,169,550	\$4,599,245	\$4,557,735	-0.90%	\$4,539,614	-0.40%		
<b>JULY</b>	\$4,033,350	\$4,105,554	\$4,391,257	\$4,519,466	2.92%	\$4,655,061	3.00%		
<b>AUGUST</b>	\$4,231,174	\$4,402,156	\$4,893,438	\$4,803,665	-1.83%	\$4,991,723	3.91%		
<b>TOTAL</b>	\$48,686,688	\$51,068,484	\$54,188,225	\$55,761,877	2.90%	\$55,873,886	0.20%	\$4,573,597	-1.22%

Year to date vs.  
previous year

**CITY OF LINCOLN  
NET SALES TAX COLLECTIONS  
2001-2002 THROUGH 2006-2007**

	<b>ACTUAL 2001-2002</b>	<b>ACTUAL 2002-2003</b>	<b>ACTUAL 2003-2004</b>	<b>ACTUAL 2004-2005</b>	<b>% CHG. FROM PR. YEAR</b>	<b>ACTUAL 2005-2006</b>	<b>% CHG. FROM PR. YEAR</b>	<b>ACTUAL 2006-2007</b>	<b>% CHG. FROM PR. YEAR</b>
<b>SEPTEMBER</b>	\$3,197,606	\$4,191,407	\$4,383,878	\$4,512,303	2.93%	\$4,549,328	0.82%	\$4,546,247	-0.07%
<b>OCTOBER</b>	\$3,737,474	\$4,399,587	\$4,560,394	\$4,541,471	-0.41%	\$4,464,503	-1.69%		
<b>NOVEMBER</b>	\$3,993,488	\$4,273,655	\$4,306,712	\$4,586,261	6.49%	\$4,625,303	0.85%		
<b>DECEMBER</b>	\$3,615,893	\$3,857,499	\$3,923,666	\$4,174,828	6.40%	\$4,505,085	7.91%		
<b>JANUARY</b>	\$4,066,908	\$3,740,166	\$4,276,609	\$4,043,044	-5.46%	\$4,073,189	0.75%		
<b>FEBRUARY</b>	\$4,473,291	\$5,163,582	\$5,208,187	\$5,692,517	9.30%	\$5,724,498	0.56%		
<b>MARCH</b>	\$3,480,060	\$4,059,342	\$3,957,283	\$4,059,634	2.59%	\$4,082,038	0.55%		
<b>APRIL</b>	\$3,307,525	\$3,429,942	\$3,690,371	\$4,028,088	9.15%	\$3,794,477	-5.80%		
<b>MAY</b>	\$3,773,581	\$3,908,947	\$4,447,001	\$4,608,034	3.62%	\$4,376,803	-5.02%		
<b>JUNE</b>	\$3,728,951	\$4,030,637	\$4,404,651	\$4,522,924	2.69%	\$4,525,529	0.06%		
<b>JULY</b>	\$3,851,488	\$3,542,215	\$4,349,171	\$4,356,468	0.17%	\$4,615,569	5.95%		
<b>AUGUST</b>	\$4,167,224	\$4,060,288	\$4,361,554	\$4,655,637	6.74%	\$4,934,023	5.98%		
<b>TOTAL</b>	\$45,393,489	\$48,657,267	\$51,869,477	\$53,781,209	3.69%	\$54,270,346	0.00%	\$4,546,247	-0.07%

Year to date vs.  
previous year

**CITY OF LINCOLN  
SALES TAX REFUNDS  
2001-2002 THROUGH 2006-2007**

	<b>ACTUAL 2001-2002</b>	<b>ACTUAL 2002-2003</b>	<b>ACTUAL 2003-2004</b>	<b>ACTUAL 2004-2005</b>	<b>% CHG. FR. PRIOR YEAR</b>	<b>ACTUAL 2005-2006</b>	<b>% CHG. FR. PRIOR YEAR</b>	<b>ACTUAL 2006-2007</b>	<b>% CHG. FR. PRIOR YEAR</b>
<b>SEPTEMBER</b>	(\$646,545)	(\$48,531)	(\$69,997)	(\$135,858)	94.09%	(\$80,882)	-40.47%	(\$27,350)	-66.19%
<b>OCTOBER</b>	(\$379,290)	(\$64,605)	(\$110,193)	(\$165,219)	49.94%	(\$358,866)	117.21%	(\$166,695)	-53.55%
<b>NOVEMBER</b>	(\$132,336)	(\$134,088)	(\$219,454)	(\$101,531)	-53.73%	(\$173,972)	71.35%		
<b>DECEMBER</b>	(\$240,014)	(\$177,459)	(\$390,445)	(\$325,510)	-16.63%	(\$6,319)	-98.06%		
<b>JANUARY</b>	(\$74,082)	(\$306,467)	(\$59,315)	(\$220,967)	272.53%	(\$269,713)	22.06%		
<b>FEBRUARY</b>	(\$509,277)	(\$61,404)	(\$323,218)	(\$394,324)	22.00%	(\$73,395)	-81.39%		
<b>MARCH</b>	(\$428,507)	(\$17,601)	(\$22,759)	(\$99,240)	336.05%	(\$165,869)	67.14%		
<b>APRIL</b>	(\$333,878)	(\$281,861)	(\$199,018)	(\$69,900)	-64.88%	(\$196,682)	181.38%		
<b>MAY</b>	(\$176,292)	(\$275,081)	(\$155,787)	(\$122,283)	-21.51%	(\$166,567)	36.21%		
<b>JUNE</b>	(\$127,168)	(\$138,914)	(\$194,593)	(\$34,811)	-82.11%	(\$14,085)	-59.54%		
<b>JULY</b>	(\$181,863)	(\$563,339)	(\$42,086)	(\$162,998)	287.30%	(\$39,492)	-75.77%		
<b>AUGUST</b>	(\$63,949)	(\$341,868)	(\$531,884)	(\$148,028)	-72.17%	(\$57,700)	-61.02%		
<b>TOTAL</b>	(\$3,293,201)	(\$2,411,218)	(\$2,318,751)	(\$1,980,668)	-14.58%	(\$1,603,541)	0.00%	(\$194,044)	-55.87%

Year to date vs.  
previous year



# NEWS RELEASE

MAYOR COLEEN J. SENG



LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
3140 N Street, Lincoln NE 68510 • Phone: 441-8000  
Fax: 441-8323 or 441-6229

**FOR IMMEDIATE RELEASE:** September 18, 2006

**FOR MORE INFORMATION:** Harry Heafer, 441-8035

## **CLEAN UP LITTER FROM SHORELINES OF LOCAL LAKES** *Join volunteers worldwide as part of the International Coastal Cleanup*

Volunteers are needed to help clean litter from shorelines of area lakes for this year's International Coastal Cleanup. Keep Lincoln & Lancaster County Beautiful is recruiting individuals, groups, organizations, clubs and businesses to participate in this effort to help keep the lakes clean of litter, some of which has the potential to harm wildlife.

Over 8.2 million pounds of trash was collected during last year's International Coastal Cleanup, which involved people in 100 countries and all 55 U.S. states and territories. In Lancaster County, 134 volunteers cleaned the shorelines of six area lakes and collected nearly 3,000 pounds of trash.

If your group or organization is interested in conducting a clean up of an area lake, contact Harry Heafer at the Lincoln-Lancaster County Health Department, 441-8035. Clean ups must be completed by October 15.

"The shorelines and areas around six Salt Valley lakes were cleaned up last year by several volunteer groups," said Harry Heafer, Keep Lincoln & Lancaster County Beautiful Coordinator. "They did a great job cleaning up all kinds of litter including fishing line, lures, bobbers, old bait containers, small propane canisters, plastic bottles, aluminum cans and cigarette butts and packages."

Volunteers are provided trash bags and are asked to complete a data card to record the types and amounts of litter collected. Final tallies are sent to The Ocean Conservancy to be included in their annual, international report.

The Keep Lincoln & Lancaster County Beautiful Program is partially funded by a grant from the Litter Reduction and Recycling Fund administered by the Nebraska Department of Environmental Quality.





JWalker@ci.lincoln.ne.us

09/21/2006 08:15 AM

To "Ben Schiltz" <ben.schiltz@gmail.com>

cc commish@lincoln.ne.gov, council@lincoln.ne.gov,  
mayor@lincoln.ne.gov, MKrout@ci.lincoln.ne.us,  
MDekalb@ci.lincoln.ne.us, mhunzeker@pierson-law.com

bcc

Subject Re: Support: County Special Permit No. 06051, Nebraska  
Motorplex race track

Dear Mr. Schiltz:

Thank you for submitting your comments, which have now become part of the record on this application.

Please be advised that this application is tentatively scheduled for public hearing before the Lincoln-Lancaster County Planning Commission on Wednesday, October 11th. The regular meeting begins at 1:00 p.m. Should the date or time change for this particular hearing, you will be notified.

A copy of your comments are being submitted to each Planning Commission member for their consideration prior to the public hearing. A copy is also being provided to the applicant's representative.

If you have any questions about the public hearing or this process, please do not hesitate to contact me.

--Jean Walker, Administrative Officer  
City-County Planning Department  
441-6365

"Ben Schiltz"  
<ben.schiltz@gmail.com>

09/20/2006 09:08  
PM

plan@lincoln.ne.gov,  
council@lincoln.ne.gov,  
mayor@lincoln.ne.gov,  
commish@lincoln.ne.gov

To

cc

Subject  
Nebraska Motorplex race track

Hello,

My name is Ben Schiltz and I am writing this letter for show my support for the proposed racetrack north of Lincoln. As a youth I sometimes have a hard

time finding safe, legal, and affordable activities to fill my free time outside school and work, especially on the weekends. I often find myself sitting with several friends in one of our basements' doing nothing and wishing there were more activities for youth in Lincoln.

One of the major issues surround the proposed racetrack is illegal street racing. While I've never raced on the streets, I know several of my peers have and do. When I asked them why, most of them said it's because they have nowhere else to go to race, especially with the close of the racetrack in Scribner, NE. I believe opening this track would greatly reduce the organized street racing in Lincoln by offering a safe and legal place for people to compete.

I believe this track would offer a safe, legal, and exciting place for the youth and adults of Lancaster county and ask you to approve Greg Sanford's application for a racetrack near Lincoln.

Thank you for your time,

Ben Schiltz

**PLANNING COMMISSION FINAL ACTION  
NOTIFICATION**

**TO :** Mayor Coleen Seng  
Lincoln City Council

**FROM :** Jean Walker, Planning

**DATE :** September 14, 2006

**RE :** **Use Permit No. 06005**  
(South 40<sup>th</sup> Street and Yankee Hill Road)  
**Resolution No. PC-01016**

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, September 13, 2006:

Motion made by Taylor, seconded by Carroll, to approve **Use Permit No. 06005**, with conditions, requested by Engineering Design Consultants on behalf of Lincoln Federal Bancorp, for authority to develop 216,000 sq. ft. of office and commercial floor area, together with requested waivers of the Land Subdivision Ordinance to allow block length in excess of 1320 feet and to allow lots without frontage on a public street or private roadway, on property located approximately 1/4 mile south of the intersection of Yankee Hill Road and South 40<sup>th</sup> Street.

Motion for conditional approval carried 9-0 (Strand, Cornelius, Sunderman, Taylor, Larson, Krieser, Carroll, Esseks and Carlson voting 'yes').

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  
Brandon Garrett, EDC, 2200 Fletcher Ave., Suite 102, 68521  
Lincoln Federal Bancorp, 1100 N Street, 68508

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RESOLUTION NO. PC- 01016

USE PERMIT NO.06005

1           WHEREAS, Lincoln Federal Bancorp has submitted an application in accordance with  
2 Section 27.28.090 of the Lincoln Municipal Code designated as Use Permit No. 06005 to  
3 develop 216,000 square feet of office and commercial floor area, together with  
4 requested waivers of the Land Subdivision Ordinance to allow block length in excess of  
5 1320 feet and to allow lots without frontage on a public street or private roadway on  
6 property located approximately 1/4 mile south of the intersection of Yankee Hill Road  
7 and South 40th Street, and legally described to wit:

8           Part of Lots 49 and 50, located in the Northwest Quarter of  
9 Section 29, Township 9 North, Range 7 East of the 6th P.M.,  
10 Lancaster County, Nebraska and being more particularly  
11 described as follows:

12           Commencing at the southwest corner of said Northwest Quarter  
13 of Section 29; thence 89 degrees 59 minutes 30 seconds east, a  
14 distance of 50.00 feet to the point of beginning, said point also  
15 being on the east right-of-way line of South 40th Street; thence  
16 along said east right-of-way line of South 40th Street on the  
17 following described 5 courses: thence north 00 degrees 01  
18 minutes 37 seconds west, a distance of 884.77 feet; thence north  
19 08 degrees 25 minutes 22 seconds east, a distance of 102.08  
20 feet; thence north 00 degrees 01 minutes 37 seconds west, a  
21 distance of 400.00 feet; thence north 08 degrees 59 minutes 43  
22 seconds west, a distance of 32.07 feet; thence north 00 degrees  
23 01 minutes 37 seconds west, a distance of 248.61 feet; thence  
24 north 89 degrees 57 minutes 34 seconds east, a distance of 77.36  
25 feet; thence south 86 degrees 47 minutes 46 seconds east, a  
26 distance of 43.95 feet; thence easterly on a curve to the right with  
27 a radius of 683.00 feet; a distance of 451.39 feet, said curve  
28 having a long chord which bears south 71 degrees 06 minutes 41

1 seconds east, a distance of 443.22 feet; thence south 52 degrees  
2 10 minutes 41 seconds east, a distance of 78.93 feet; thence  
3 south 37 degrees 49 minutes 19 seconds west, a distance of  
4 66.00 feet; thence south 52 degrees 10 minutes 41 seconds east,  
5 a distance of 238.79 feet; thence south 37 degrees 49 minutes 19  
6 seconds west, a distance of 71.35 feet; thence south 28 degrees  
7 28 minutes 25 seconds west, a distance of 53.38 feet; thence  
8 south 22 degrees 46 minutes 25 seconds west, a distance of  
9 106.70 feet; thence south 15 degrees 10 minutes 27 seconds  
10 west, a distance of 106.70 feet; thence south 07 degrees 34  
11 minutes 28 seconds west, a distance of 106.70 feet; thence south  
12 00 degrees 01 minutes 31 seconds east, a distance of 106.70  
13 feet; thence south 07 degrees 37 minutes 30 seconds east, a  
14 distance of 106.70 feet; thence south 15 degrees 13 minutes 26  
15 seconds east, a distance of 106.68 feet; thence south 17 degrees  
16 35 minutes 48 seconds east, a distance of 20.00 feet; thence  
17 south 09 degrees 48 minutes 05 seconds east, a distance of  
18 90.01 feet; thence south 00 degrees 52 minutes 21 seconds east,  
19 a distance of 47.19 feet; thence south 00 degrees 00 minutes 30  
20 seconds west, a distance of 392.56 feet; thence north 89 degrees  
21 59 minutes 30 seconds west, a distance of 672.07 feet to the  
22 point of beginning; said tract of land contains an area of  
23 1,040,828 square feet or 23.89 acres, more or less;

24 WHEREAS, the real property adjacent to the area included within the site plan for this  
25 construction of commercial and office area will not be adversely affected; and

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

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

31 That the application of Lincoln Federal Bancorp, hereinafter referred to as "Permittee",  
32 to develop 216,000 square feet office and commercial floor area be and the same is hereby  
33 granted under the provisions of Section 27.31.100 of the Lincoln Municipal Code upon condition  
34 that construction and operation of said office/commercial space be in strict compliance with said  
35 application, the site plan, and the following additional express terms, conditions, and  
36 requirements:

1           1.       This permit approves up to 216,000 square feet of commercial floor area  
2 including office, restaurant, and retail with waivers of Lincoln Municipal Code § 26.23.130(a)  
3 and § 26.23.140(g) to allow block length in excess of 1,320' and lots without frontage to public  
4 street or private roadway, respectively.

5           2.       Final plats within the area of this use permit must be approved by the City. If any  
6 final plat on all or a portion of the approved use permit is submitted five (5) years or more after  
7 the approval of the use permit, the City may require that a new use permit be submitted,  
8 pursuant to all the provisions of section 26.31.015. A new use permit may be required if the  
9 subdivision ordinance, the design standards, or the required improvements have been  
10 amended by the City; and as a result, the use permit as originally approved does not comply  
11 with the amended rules and regulations.

12           3.       The Planning Director may approve final plats after the Permittee has signed an  
13 agreement that binds the Permittee and Permittee's successors and assigns:

- 14           a.       to complete the street paving of public streets shown on the final plat  
15                   within two (2) years following the approval of the final plat.
- 16           b.       to complete the installation of sidewalks along both sides of Hohensee  
17                   Drive and the north side of Wilderness Hills Blvd as shown on the final  
18                   plat within four (4) years following the approval of the final plat.
- 19           c.       to complete the public water distribution system to serve this plat within  
20                   two (2) years following the approval of the final plat.
- 21           d.       to complete the public wastewater collection system to serve this plat  
22                   within two (2) years following the approval of the final plat.
- 23           e.       to complete the enclosed public drainage facilities shown on the  
24                   approved drainage study to serve this plat within two (2) years following  
25                   the approval of the final plat.
- 26           f.       to complete the enclosed private drainage facilities shown on the  
27                   approved drainage study to serve this plat within two (2) years following  
28                   the approval of the final plat.
- 29           g.       to complete the installation of public street lights within this plat within two  
30                   (2) years following the approval of the final plat.
- 31

- 1 h. to complete the planting of the street trees within four (4) years following  
2 the approval of the final plat.
- 3 i. to complete the installation of the street name signs within two (2) years  
4 following the approval of the final plat.
- 5 j. to complete any other public or private improvement or facility required by  
6 Chapter 26.23 (Development Standards) of the Land Subdivision  
7 Ordinance in a timely manner which inadvertently may have been omitted  
8 from the above list of required improvements.
- 9 k. to submit to the Director of Public Works a plan showing proposed  
10 measures to control sedimentation and erosion and the proposed method  
11 to temporarily stabilize all graded land for approval.
- 12 l. to complete the public and private improvements shown on the Use  
13 Permit.
- 14 m. to retain ownership of or the right of entry to the outlots in order to  
15 maintain the outlots and private improvements on a permanent and  
16 continuous basis and to maintain the plants in the medians and islands  
17 on a permanent and continuous basis. However, the subdivider may be  
18 relieved and discharged of this maintenance obligation upon creating, in  
19 writing, a permanent and continuous association of property owners who  
20 would be responsible for said permanent and continuous maintenance.  
21 The subdivider shall not be relieved of such maintenance obligation until  
22 the private improvements have been satisfactorily installed and the  
23 documents creating the association have been reviewed and approved by  
24 the City Attorney and filed of record with the Register of Deeds.
- 25 n. to submit to the lot buyers and home builders a copy of the soil analysis.
- 26 o. to pay all design, engineering, labor, material, inspection, and other  
27 improvement costs.
- 28 p. to comply with the provisions of the Land Preparation and Grading  
29 requirements of the Land Subdivision Ordinance.
- 30 q. to properly and continuously maintain and supervise the private facilities  
31 which have common use or benefit, and to recognize that there may be  
32 additional maintenance issues or costs associated with providing for the  
33 proper functioning of storm water detention/retention facilities as they  
34 were designed and constructed within the development, and that these  
35 are the responsibility of the Permittee.
- 36 r. to relinquish the right of direct vehicular access to South 40<sup>th</sup> Street  
37 except as shown.

1           4.       Prior to the approval of a final plat the Permittee shall complete the following  
2 instructions and submit the documents and plans to the Planning Department office for review  
3 and approval.

4           a.       Five copies of a revised site plan showing the following revisions:

5           i.       Combine General Site Notes 16 and 17, and add the following  
6 sentence: SIDEWALKS TO COMPLY WITH CHAPTER 3.105 OF  
7 THE DESIGN STANDARDS FOR PEDESTRIAN CIRCULATION  
8 IN COMMERCIAL AND INDUSTRIAL AREAS.

9           ii.      Combine General Site Notes 18 and 23 to read as follows: ALL  
10 SIGNS TO BE IN COMPLIANCE WITH THE ZONING  
11 ORDINANCE AND SIGN CODE AND ARE NOT REQUIRED TO  
12 BE SHOWN ON THIS PLAN. DETAILS OF SIGNS INCLUDING  
13 TYPE, LOCATION, HEIGHT AND SIZE TO BE REVIEWED AND  
14 APPROVED AT THE TIME OF SIGN PERMIT. SIGNS MAY BE  
15 LOCATED IN OUTLOT A, B OR C.

16          iii.     Add a general note that states: STREET TREES TO BE  
17 PROVIDED IN COMPLIANCE WITH TITLE 26 AND WILL BE  
18 SHOWN AND APPROVED AT TIME OF FINAL PLAT.

19          iv.     Revise the last sentence in General Site Note #24 to state:  
20 BUILDING AND PARKING LOT LAYOUT ARE CONCEPTUAL  
21 AND WILL BE APPROVED AT TIME OF BUILDING PERMITS IN  
22 COMPLIANCE WITH LMC AND DESIGN STANDARDS.

23          v.       Add a general site note that states: ALL SCREENING AND  
24 LANDSCAPING TO BE PROVIDED PER DESIGN STANDARDS  
25 AND APPROVED AT TIME OF BUILDING PERMITS.

26          vi.     Show Hohensee Drive extended to the east boundary of the use  
27 permit.

28          vii.    Delete the labels South 41<sup>st</sup> Street and private roadway on all  
29 sheets including street cross-sections, and show a common  
30 access easement instead.

31          viii.   Add the waiver to allow lots not adjacent to a public street or  
32 private roadway to the list of waivers on Sheet 1 of 5.

33          ix.     The surveyor's certificate must be signed.

34          x.      Show fire hydrants to the satisfaction of Fire Prevention.

35          xi.     Show utility easements to the satisfaction of LES.

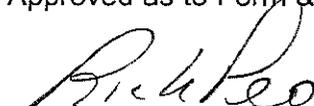
- 1                    b.     Revise the grading and drainage and utilities plans to the satisfaction of  
2                    Public Works and Utilities.
- 3                    c.     Revise the traffic study to the satisfaction of Public Works and Utilities.
- 4
- 5                    5.     City Council must approve associated requests Annexation #06015 and Change  
6 of Zone #06058.
- 7                    6.     Before occupying any buildings all-development and construction is to comply  
8 with the approved plans.
- 9                    7.     All privately-owned improvements, including landscaping, are to be permanently  
10 maintained by the owner or an appropriately established owners association approved by the  
11 City.
- 12                    8.     The site plan accompanying this permit shall be the basis for all interpretations of  
13 setbacks, yards, locations of buildings, location of parking and circulation elements, and similar  
14 matters.
- 15                    9.     This resolution's terms, conditions, and requirements bind and obligate the  
16 Permittee, its successors and assigns.
- 17                    10.    The applicant shall sign and return the letter of acceptance to the City Clerk  
18 within 30 days following the approval of the special permit, provided, however, said 30-day  
19 period may be extended up to six months by administrative amendment. The clerk shall file a  
20 copy of the resolution approving the special permit and the letter of acceptance with the  
21 Register of Deeds, filling fees therefor to be paid in advance by the applicant.

DATED: September 13, 2006.

ATTEST:

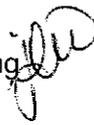
  
Chair

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 :** September 14, 2006

**RE :** **Special Permit No. 06048**  
(North 48<sup>th</sup> Street & Cornhusker Highway)  
**Resolution No. PC-01014**

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, September 13, 2006:

Motion made by Taylor, seconded by Carroll, to approve **Special Permit No. 06048**, with conditions, requested by Windsor Enterprises, for authority to sell alcoholic beverages for consumption off the premises at the Cheapest Cigarettes store generally located southeast of the intersection of North 48<sup>th</sup> Street and Cornhusker Highway.

Motion for conditional approval carried 9-0 (Strand, Cornelius, Sunderman, Taylor, Larson, Krieser, Carroll, Esseks and Carlson voting 'yes').

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  
Jim Harman, Windsor Enterprises, 4821 Cornhusker Highway, 68504  
Joe Mara, 4821 Cornhusker Highway, 68504

---

RESOLUTION NO. PC- 01014

SPECIAL PERMIT NO. 06048

1           WHEREAS, Windsor Enterprises has submitted an application designated  
2 as Special Permit No. 06048 for authority to sell alcoholic beverages for consumption  
3 off the premises at the Cheapest Cigarettes store generally located at North 48th Street  
4 and Cornhusker Highway and Superior Streets, legally described as:

5           Lot 160 I.T. located in Section 8, Township 10 North, Range  
6           7 East of the 6th P.M., Lancaster County, Nebraska; and

7           WHEREAS, the real property adjacent to the area included within the site  
8 plan for this permit to sell alcoholic beverages off the premises will not be adversely  
9 affected; and

10           WHEREAS, said site plan together with the terms and conditions  
11 hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln  
12 Municipal Code to promote the public health, safety, and general welfare.

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

15           That the application of Windsor Enterprises, hereinafter referred to as  
16 "Permittee", to sell alcoholic beverages for consumption off the premises on property  
17 legally described above be and the same is hereby granted under the provisions of

1 Section 27.63.685 of the Lincoln Municipal Code upon condition that operation of said  
2 licensed premises be in strict compliance with said application, the site plan, and the  
3 following additional express terms, conditions, and requirements:

4 1. This permit approves the sale of alcohol for consumption off the  
5 premises as shown on the attached site plan.

6 2. Before the sale of alcohol:

7 a. The Permittee must complete the following instructions and  
8 submit five copies of a revised site plan to the Planning  
9 Department office for review and approval showing the  
10 following revisions:

11 i. Show at least 13 parking spaces property  
12 dimensioned consistent with the Design Standards.

13 ii. Designate the "Tobacco Store" as the "Licensed  
14 Premises."

15 iii. Accurately show all the lots lines as they exist with  
16 dimensions.

17 iv. Add the legal description.

18 b. The construction plans must comply with the approved  
19 plans.  
20

21 3. Before commencing the sale of alcohol for consumption off the  
22 premises, all development and construction must conform to the approved plans.

23 4. The site plan approved by this permit shall be the basis for all  
24 interpretations of setbacks, yards, locations of buildings, location of parking and  
25 circulation elements, and similar matters.

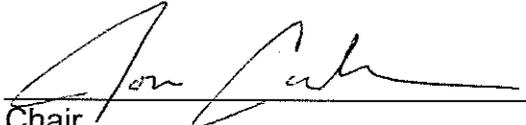
26 5. The terms, conditions, and requirements of this resolution shall be  
27 binding and obligatory upon the Permittee, its successors, and assigns. The building

1 official shall report violations to the City Council which may revoke the special permit or  
2 take such other action as may be necessary to gain compliance.

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

9 The foregoing Resolution was approved by the Lincoln City-Lancaster  
10 County Planning Commission on this 13 day of September, 2006.

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 :** September 14, 2006

**RE :** **Comprehensive Plan Conformance No. 06011**  
(Permanent Conservation Easement - People's City Mission,  
NW corner of 2<sup>nd</sup> Street and S Street, and 2<sup>nd</sup> Street between Q and R Streets)  
**Resolution No. PC-01015**

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, September 13, 2006:

Motion made by Taylor, seconded by Carroll, to find the proposed acquisition of a permanent conservation easement over approximately 0.85 acres of floodplain area to protect the floodplain, delineated wetlands, drainageways and tree masses, on property generally located at the northwest corner of 2<sup>nd</sup> Street and S Street and 2<sup>nd</sup> Street between Q and R Streets, to be in conformance with the 2025 Lincoln-Lancaster County Comprehensive Plan.

Motion for a finding of conformance with the Comprehensive Plan carried 9-0 (Strand, Cornelius, Sunderman, Taylor, Larson, Krieser, Carroll, Esseks and Carlson voting 'yes').

A resolution proposing that the City accept the permanent conservation easement agreement will be scheduled for public hearing before the City Council in the near future.

Attachment

cc: Building & Safety  
Rick Peo, City Attorney  
Public Works  
Tom Cajka, Planning  
People's City Mission, 110 Q Street, 68508

i:\shared\wp\jlu\2006 ccnotice.cpc\CPC.06011

RESOLUTION NO. PC-01015

Comprehensive Plan Conformity No. 06011

1           WHEREAS, the Director of the Planning Department on behalf of the  
2 People's City Mission has proposed that the City of Lincoln acquire permanent  
3 conservation easements over approximately 0.85 acres of floodplain area on property  
4 generally located at the northwest corner of 2nd Street and S Street and 2nd Street  
5 between Q and R Streets, more particularly described and shown in Attachment "A" and  
6 Attachment "B" attached hereto, to protect the floodplain, delineated wetlands,  
7 drainageways, and tree masses; and

8           WHEREAS, the City of Lincoln is authorized to accept and hold  
9 conservation easements under the terms of the Conservation and Preservation  
10 Easement Act (Neb. Rev. Stat. §§ 76-2,111 to 76,2,118); and

11           WHEREAS, Neb. Rev. Stat. § 76-2,112 requires that, in order to minimize  
12 conflicts with land use planning, the proposed conservation easements must be  
13 submitted to the Lincoln City - Lancaster County Planning Commission for comments  
14 regarding the conformity of the proposed conservation easements to the Lincoln City  
15 Comprehensive Plan prior to acceptance of the easements by the City of Lincoln; and

16           WHEREAS, the Director of Planning has submitted a request designated  
17 as Comprehensive Plan Conformity No. 06011 to find the proposed acquisition of  
18 permanent conservation easements by the City of Lincoln to be in conformity with the  
19 Comprehensive Plan.

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

1                   That the proposal of the Director of Planning that the City of Lincoln  
2           acquire permanent conservation easements to protect the floodplain, delineated  
3           wetlands, drainageways, and tree masses on approximately 0.85 acres generally  
4           located at the northwest corner of 2nd Street and S Street and 2nd Street between Q  
5           and R Streets as described and shown in Attachment "A" and Attachment "B", is found  
6           to be in conformance with the Lincoln City Comprehensive Plan.

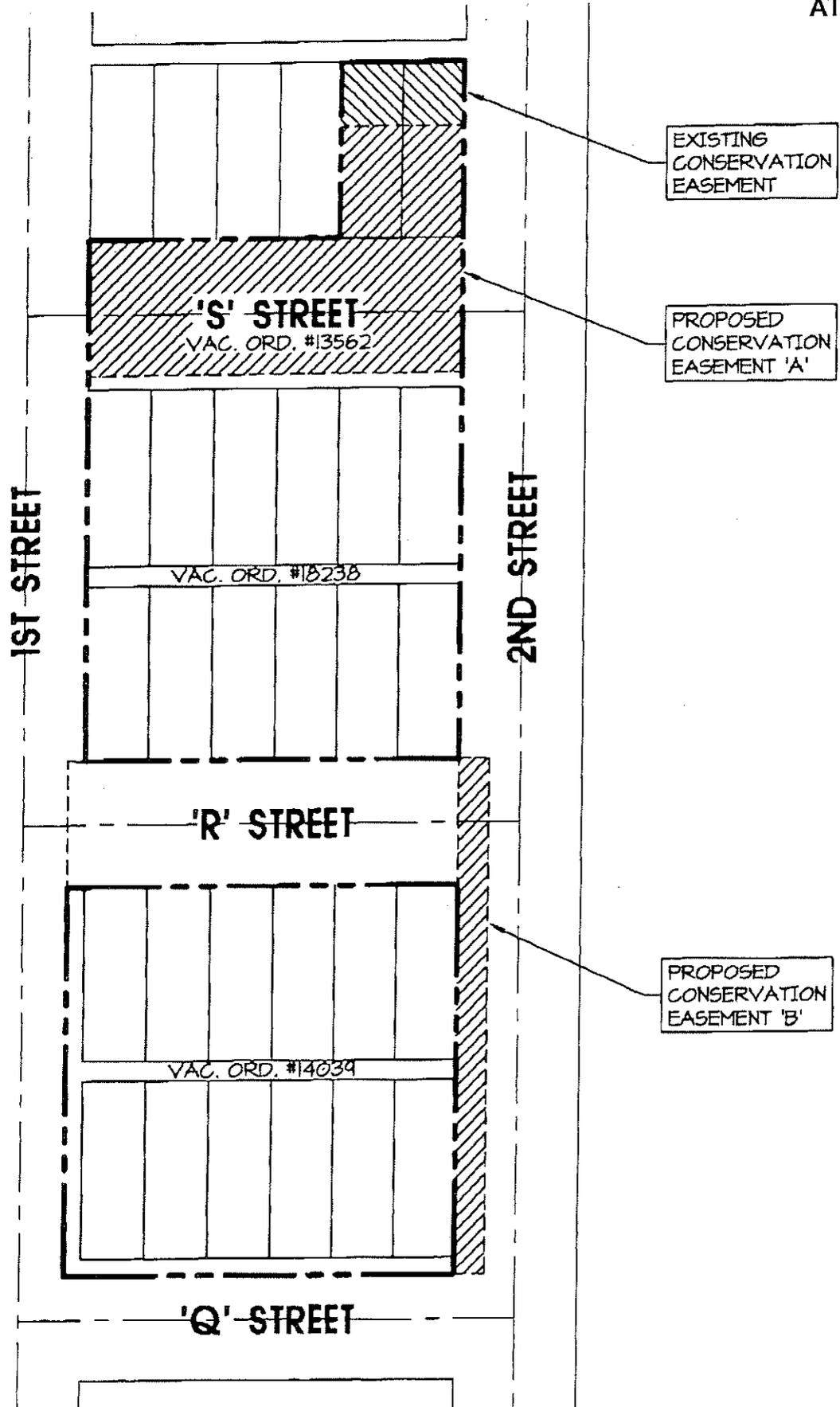
7                   The foregoing Resolution was approved by the Lincoln City-Lancaster  
8           County Planning Commission on this 13 day of September, 2006.

ATTEST:

  
Chair

Approved as to Form & Legality:

  
Chief Assistant City Attorney



**Design Associates**   
of Lincoln, Inc.  
ARCHITECTS • ENGINEERS • PLANNERS



**PEOPLE'S CITY MISSION  
CONSERVATION EASEMENT**

PERSHING SQUARE 1609 "N" STREET LINCOLN NEBRASKA 68500  
voice:402.474.3000 desassoc@nebraska.com fax:402.474.4045

NOT TO SCALE

18 AUG 2006

## ATTACHMENT "B"

~1814079

## CONSERVATION EASEMENT 'A'

A PARCEL OF LAND LOCATED IN SECTION 23, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE PRIME MERIDIAN, LINCOLN, LANCASTER COUNTY, NEBRASKA.

BEGINNING AT THE SOUTHWEST LOT CORNER OF LOT 7 BLOCK 275, ORIGINAL PLAT OF LINCOLN;  
THENCE SOUTH 89 DEGREES 44 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 199.71 FEET;  
THENCE NORTH 0 DEGREES 19 MINUTES 27 SECONDS EAST FOR A DISTANCE OF 90.16 FEET;  
THENCE SOUTH 89 DEGREES 56 MINUTES 53 SECONDS EAST FOR A DISTANCE OF 99.70 FEET;  
THENCE SOUTH 0 DEGREES 10 MINUTES 4 SECONDS WEST FOR A DISTANCE OF 148.40 FEET;  
THENCE NORTH 89 DEGREES 53 MINUTES 9 SECONDS WEST FOR A DISTANCE OF 299.64 FEET;  
THENCE NORTH 0 DEGREES 9 MINUTES 47 SECONDS EAST FOR A DISTANCE OF 58.61 FEET;  
TO THE POINT OF BEGINNING. PARCEL CONTAINS 0.608 ACRES MORE OR LESS.

## CONSERVATION EASEMENT 'B'

A PARCEL OF LAND LOCATED IN SECTION 23, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE PRIME MERIDIAN, LINCOLN, LANCASTER COUNTY, NEBRASKA.

BEGINNING AT THE SOUTHWEST LOT CORNER OF LOT 12 BLOCK 264, ORIGINAL PLAT OF LINCOLN;  
THENCE SOUTH 89 DEGREES 53 MINUTES 9 SECONDS EAST FOR A DISTANCE OF 25.00 FEET;  
THENCE SOUTH 0 DEGREES 10 MINUTES 4 SECONDS WEST FOR A DISTANCE OF 414.00 FEET;  
THENCE NORTH 89 DEGREES 53 MINUTES 9 SECONDS WEST FOR A DISTANCE OF 25.00 FEET;  
THENCE NORTH 0 DEGREES 10 MINUTES 4 SECONDS EAST FOR A DISTANCE OF 414.00 FEET;  
TO THE POINT OF BEGINNING. PARCEL CONTAINS 0.238 ACRES MORE OR LESS.

**PLANNING COMMISSION FINAL ACTION**  
NOTIFICATION

**TO :** Mayor Coleen Seng  
Lincoln City Council

**FROM :** Jean Walker, Planning 

**DATE :** September 19, 2006

**RE :** **Special Permit No. 06046 - Dakota Springs Community Unit Plan**  
(S.W. 2<sup>nd</sup> Street and W. Saltillo Road)  
**Resolution No. PC-01017**

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, September 13, 2006:

Motion made by Carroll, seconded by Sunderman, to approve **Special Permit No. 06046**, with conditions, requested by Civil Design Group on behalf of SWL Development, LLC, for authority to develop **Dakota Springs Community Unit Plan** for 12 lots and 5 outlots, including build-through lots, together with requests to waive the design standards for block length and stormwater detention, on property generally located southwest of S.W. 2<sup>nd</sup> Street and W. Saltillo Road.

Motion for conditional approval, as set forth in the staff report dated August 17, 2006, carried 8-0 (Strand, Cornelius, Sunderman, Larson, Krieser, Carroll, Esseks and Carlson voting 'yes'; Taylor absent). The amendments requested by the applicant were not granted.

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  
Mike Eckert, Civil Design Group, 3901 Normal Blvd., Suite 203, 68506  
SWL Development, LLC, 1400 W. Burr Oaks Rd., 68523

---

RESOLUTION NO. PC- 01017

SPECIAL PERMIT NO. 06046

1           WHEREAS, SWL Development LLC has submitted an application designated as  
2 Special Permit No. 06046 for authority to develop Dakota Springs Community Unit Plan for 12  
3 lots and 5 outlots, including build through lots, together with requests to waive the design  
4 standards for block length and storm water detention, on property generally located southwest  
5 of S.W. 2nd Street and W. Saltillo Road and legally described as:

6           Lots 1 and 2, Fiedler Addition and Lot 21 I.T., all located in the  
7 Northeast Quarter of Section 3, Township 8, Range 6 East of the  
8 6th P.M., Lancaster County, Nebraska;

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

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

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

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

1                   That the application of SWL Development LLC, hereinafter referred to as  
2 "Permittee", to develop Dakota Springs Community Unit Plan for 12 lots and 5 outlots be and  
3 the same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the  
4 Lincoln Municipal Code upon condition that construction of said development be in strict  
5 compliance with said application, the site plan, and the following additional express terms,  
6 conditions, and requirements:

7           1.       This approval permits 12 dwelling units to be converted to a higher density in  
8 accordance with the transitional plat at such time as sanitary sewer and water are extended to  
9 serve the community unit plan, the area is annexed by the City of Lincoln and rezoned as  
10 provided in Lincoln Municipal Code, Chapter 27.65. Waivers are approved for block length  
11 along Dakota Springs Dr. and the west property line and yard/lot adjustments in the CUP.  
12 Approval of this CUP is conditioned on approval of Change of Zone #06052.

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 may  
15 require that a new community unit plan be submitted, pursuant to all the provisions of section  
16 26.31.015. A new community unit plan may be required if the subdivision ordinance, the design  
17 standards, or the required improvements have been amended by the city; and as a result, the  
18 community unit plan as originally approved does not comply with the amended rules and  
19 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 erosion control  
22 measures, drainageway improvements, temporary turnaround and barricades, and street name  
23 signs, and sewer lines must be completed or provisions (bond, escrow or security agreement)  
24 to guarantee completion must be approved by the City Law Department. The improvements  
25 must be completed in conformance with adopted design standards and within the time period

1 specified in the Land Subdivision Ordinance. The Waste Treatment facility must be approved  
2 by the State Department of Environmental Quality and installed.

3 4. Final plat(s) within the area of this CUP must be approved by the City.

4 5. Before the approval of a final plat the Permittee must enter into an Agreement  
5 with the City wherein Permittee, as Subdivider agrees:

6 a. to complete the surfacing of private roadway and temporary turnarounds  
7 and barricades located at the temporary dead-end of the private  
8 roadways shown on the final plat within two (2) years following the  
9 approval of this final plat.

10  
11 b. to complete land preparation including storm water detention/retention  
12 facilities and open drainageway improvements to serve this plat prior to  
13 the installation of utilities and improvements but not more than two (2)  
14 years following the approval of the final plat.

15  
16 c. to complete the installation of the street name signs within two (2) years  
17 following the approval of the final plat.

18 d. to complete the sanitary sewer and private waste water treatment facility  
19 shown to serve this plat.

20 e. to complete any other public or private improvement or facility required by  
21 Chapter 26.23 (Development Standards) of the Land Subdivision  
22 Ordinance in a timely manner which inadvertently may have been omitted  
23 from the above list of required improvements.

24 f. to submit to the Director of Public Works a plan showing proposed  
25 measures to control sedimentation and erosion and the proposed method  
26 to temporarily stabilize all graded land for approval.

27 g. to complete the public and private improvements shown on the  
28 Community Unit Plan.

29 h. to retain ownership of and the right of entry to the outlots in order to  
30 perform the above-described maintenance of the outlots and private  
31 improvements on a permanent and continuous basis. However,  
32 Permittee as subdivider may be relieved and discharged of such  
33 maintenance obligations upon creating in writing a permanent and  
34 continuous association of property owners who would be responsible for  
35 said permanent and continuous maintenance subject to the following  
36 conditions:

37 (i) Subdivider shall not be relieved of Subdivider's maintenance  
38 obligation for each specific private improvement until a registered

1 professional engineer or nurseryman who supervised the  
2 installation of said private improvement has certified to the City  
3 that the improvement has been installed in accordance with  
4 approved plans.

5 (ii) The maintenance agreements are incorporated into covenants  
6 and restrictions in deeds to the subdivided property and the  
7 documents creating the association and the restrictive covenants  
8 have been reviewed and approved by the City Attorney and filed  
9 of record with the Register of Deeds.

10 i. To agree to subdivide the Acreage Development Component as shown  
11 on the transitional plat when sanitary sewer and water are extended to  
12 serve the Community Unit Plan and the area is annexed and rezoned.  
13 Said agreement to include provisions regarding the timing of annexation,  
14 conversion of the Acreage Development Component, establishing a plan  
15 for funding infrastructure costs for conversion of the Acreage  
16 Development Component, petitioning for creation of special assessment  
17 districts for the installation of infrastructure improvements if not installed  
18 by the Permittee at the Permittee's own cost and expense, and  
19 incorporating said provisions into deed restrictions to be reviewed and  
20 approved by the City Attorney and filed of record with the Register of  
21 Deeds.

22 j. to submit to the lot buyers and home builders a copy of the soil analysis.

23 k. to comply with the provisions of the Land Preparation and Grading  
24 requirements of the Land Subdivision Ordinance.

25 l. to protect the trees that are indicated to remain during construction and  
26 development.

27 m. to properly and continuously maintain and supervise the private facilities  
28 which have common use or benefit, and to recognize that there may be  
29 additional maintenance issues or costs associated with providing for the  
30 proper functioning of storm water detention/retention facilities as they  
31 were designed and constructed within the development, and that these  
32 are the responsibility of the land owner.

33 n. to operate and maintain the community wastewater works in compliance  
34 with the rules and regulations of the State of Nebraska, a discharge  
35 permit, if required, has been received from the State of Nebraska, and  
36 the operator of the system has been trained to operate the system and  
37 possesses a certificate of competency issued by the State of Nebraska.

38 o. to relinquish the right of direct vehicular access to S.W. 2<sup>nd</sup> Street except  
39 for Mandan Drive , one existing farm access and one future access at the  
40 ½ mile line and to W. Saltillo Road except for Dakota Springs Road, one  
41 existing farm access and a future access at the 1/4 mile point and at the  
42 ½ mile point.

1  
2 p. to maintain County roads until the County Board specifically accepts the  
3 maintenance.

4 q. to submit to all potential purchasers of lots a copy of the ground water  
5 report.

6 6. Before receiving final plat approval:

7 a. The permittee shall complete the following instructions and submit the  
8 documents and plans, including five copies, to the Planning Department  
9 office for review and approval showing the following revisions:

10 i. Make the revisions noted in the County Engineers memo of  
11 August 9, 2006.

12 ii. Make the revisions in the Public Works memo of August 16, 2006  
13 and the Watershed Management memo of August 15, 2006.

14 iii. Revise Note # 7 to include NDEQ

15 iv. Revise the Surveyors Certificate to include "accurately".

16 v. Add a note that the future development of Outlots "A, C, D and E"  
17 (Urban Reserve Components) are designed for future platting to a  
18 minimum gross future density of four units per acre or about \_\_\_\_  
19 dwellings, in accordance with the Master Plan and that the  
20 acreage lots are designed for future subdivision in accordance  
21 with the transitional plat.

22 vi. Move Mandan Drive to the 1/2 mile line and show a future access  
23 on SW 2<sup>nd</sup> Street at the 1/2 mile line.

24 vii. Show future street connections to W. Saltillo Road at the 1/4 and  
25 1/2 mile marks.

26 viii. Show the extension of Dakota Springs (Ct) Dr. to the west  
27 property line or a redesign that provides for future extension.

28 ix. Revise the plan to show easements for future storm sewer, sewer  
29 and drainage along the creek bottoms.

30 x. Show the easements requested by Norris Public Power.

31 xi. Show the future detention ponds and storm water drainage for the  
32 outlots as shown in a storm water management plan.

33 xii. Show the future major trunk water line easements.  
34  
35  
36



1           10.     The site plan accompanying this permit shall be the basis for all interpretations of  
2 setbacks, yards, locations of buildings, location of parking and circulation elements, and similar  
3 matters.

4           11.     This resolution's terms, conditions, and requirements bind and obligate the  
5 Permittee, its successors and assigns.

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

11           The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning  
12 Commission on this 13 day of September, 2006.

ATTEST:

*/s/ Original signed by  
Jon Carlson*

\_\_\_\_\_  
Chair

Approved as to Form & Legality:

  
\_\_\_\_\_  
Chief Assistant City Attorney



**Thomas S Shafer/Notes**

09/18/2006 07:36 AM

To AHarrell@ci.lincoln.ne.us, amcroy@ci.lincoln.ne.us,  
BealsFamily@msn.com, bhorton50@hotmail.com,  
bprice@neb.rr.com, campjon@aol.com,

cc

bcc

Subject Fw: 27th & Sumner Pedestrian Signal

----- Forwarded by Thomas S Shafer/Notes on 09/18/2006 07:33 AM -----

**Scott A Opfer/Notes**

09/15/2006 05:34 PM

To "Restau, Dennis" <DRestau@esu3.org>

cc TShafer@ci.lincoln.ne.us, RHoskins@ci.lincoln.ne.us

Subject 27th & Sumner Pedestrian Signal

Dear Mr. Restau,

Thomas Shafer forwarded to me your question regarding the operation of the Pedestrian Signal at 27th & Sumner. Please know that when we set these traffic signals, our primary objective is to provide for the safety for both pedestrians and vehicles. Depending on when a pedestrian pushes the button, he or she could very well have to wait for a short period before they receive a "WALK". This is due to the fact that we attempt to time the signal at Sumner Street with the signals at 27th & 'A' and 27th & South Streets. By doing so, the large groups of vehicles traveling down 27th Street will hopefully receive green lights, obviously having to stop less. On the surface this may sound like it favors the vehicles and punishes the pedestrians. Actually, it may make pedestrians wait, again dependent upon when they push the button, but if you can picture a large group of vehicles coming from either direction, and all of a sudden a pedestrian walks up, pushes the button, and the light turns to "RED", forcing that large group of vehicles to stop without notice. You can begin to see the potential for disaster. When this situation occurs, the vehicles are more likely to stop abruptly, potentially causing rear end crashes which could also involve a pedestrian standing at the corner or the vehicles just run the light all together. By attempting to keep the pedestrian signal coordinated with the upstream and downstream signals, there is less of a chance that these situations will occur. Now, if a pedestrian pushes the button, has to wait and chooses to cross against the light, it's really not much different than a pedestrian crossing at one of the non-signalized intersections along this stretch of 27th and the fact that he or she may have to wait, is not unlike the situations at the signals at South Street or 'A' Street. At either of those locations, when a pedestrian pushes the button, they may have to wait as well.

Again, please know that the current mode of operation is based upon practices used across the country and is entirely based upon the safety of everyone involved. We take great pride in the fact that since the early 1980's, our crash rate for streets in Lincoln has continued to decline significantly. The method of operation of pedestrian signals is one of those ways we've been able to continue this trend. In closing, everything my staff does daily, considers safety first. Sometimes we do things which may appear to be to the contrary, but the one thing I tell folks is that we do things as if our own lives depend on it. If you think about it, my friends and family, fellow church members and myself, use these streets daily. So, our lives do depend on how we operate our transportation system. Thanks for sharing your concerns for traffic safety. If you have any further questions or concerns, please do not hesitate to contact me.

Sincerely,

Scott A. Opfer, Manager  
Traffic & Engineering Services Operations  
Public Works & Utilities Dept.  
531 Westgate Blvd. Suite 100  
Lincoln, NE 68528

Office: (402) 441-7851



**Nicole Tooze/Notes**

09/20/2006 03:20 PM

To CouncilPacket/Notes@Notes

cc Karen K Sieckmeyer/Notes@Notes, Karl A  
Fredrickson/Notes@Notes

bcc

Subject Clarification RE: 06R-181 (Approved 9/18)

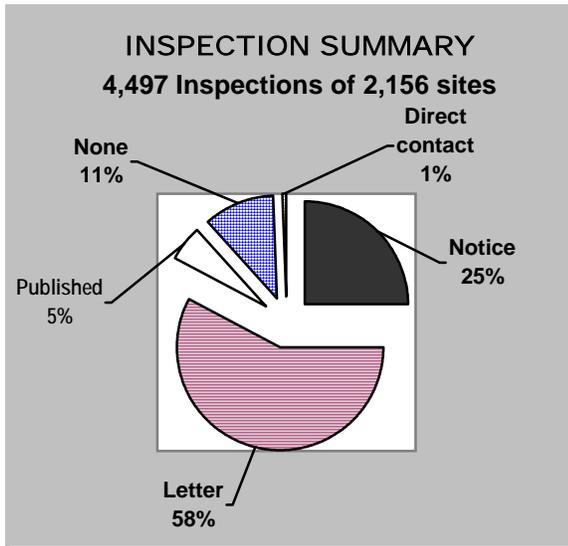
At the public hearing for item 06R-181 on Monday there was a question about the City's share of the local match for 319 Project for Holmes Lake Watershed, which is \$97,439. Of that amount, \$85,000 is funded by the stormwater bond issue and is specifically targeted for the construction project identified in Task 2: "Southwest Tributary Stream Stabilization." As discussed, this BMP demonstration project is consistent with both the City's approved CIP and the projects identified for the bond issue. The remaining City share is the in-kind dedication of staff time.

Please feel free to contact me if you have further questions.  
Nicole Fleck-Tooze

# Combined Weed Program City of Lincoln August 2006 Monthly Report

## Inspection Activity

5,212 inspections on 2,553 sites were made this year. This is 496 (10.5%) more inspections than were made by this time last year.



## Weed Abatement

- Made 4,497 inspections on 2,156 sites on 1,389 acres.
- Found 1,853 violations on 702 acres.
- Found no violations on 283 sites.
- 1,532 complaints received on 1,292 sites.
- Sent 633 notices, 1,462 letters, published 138 notifications and made 13 personal contacts.
- 1,457 sites cut by landowners.
- 68 sites force cut by contractors.
- Cutting is pending on 310 sites.

## Noxious Weeds

- Made 724 inspections on 397 sites on 2,215 acres.
- Found 311 violations on 452 acres.
  - 266 musk thistle
  - 25 leafy spurge
  - 3 Canada thistle
  - 2 ornamental purple loosestrife
  - 15 wild purple loosestrife
- Found no violations on 81 sites.
- Sent 24 notices, 201 letters, 40 trace cards and made 36 personal contacts.
- 99 control plans have been received.
- 277 sites controlled by owners.
- 2 sites controlled by inspectors.
- Control is pending on 22 sites.

## July Activities

- 12 Threat to River Conf Planning
- 13 Mgt Team Mtg
- 20 LPWMA Meeting
- 29 Airboat Tour

## Planned August Activities

- 10 Management Team Mtg
- 21-23 Threat to River Conf
- 24 LPWMA Tour & Meeting
- 25 Set up state fair exhibit
- 29 Complaint Database meeting
- 29 State Fair
- 31 Monthly activity report





**Ronald Hense**  
<r\_hense1@yahoo.com>  
09/14/2006 03:58 PM

To pnwman@lincoln.ne.gov, jcamp@lincoln.ne.gov,  
jcook@lincoln.ne.gov, amcroy@lincoln.ne.gov,  
reschliman@lincoln.ne.gov, ksvoboda@lincoln.ne.gov,  
cc  
bcc  
Subject Supporter of Dragstrip : Requesting to be forwarded to  
planning please.

**Lancaster County Planning Commission,**

**On Thursday August 31, 2006 GS Motorsports, Inc. with the assistance of attorney Mark Hunzeker submitted an application to Mike Decal at the Planning Department for a Motorsports Facility in Lancaster County Nebraska located at Branched Oak Road to Davey Road on the east side of Hwy 77 North. I'm writing to inform you that I thoroughly support a motorsport facility in Lancaster County and more importantly, at that location. This is a step forward for Lincoln and Lancaster County to bring in entertainment, private dollars, & reduce the street racing taking place on public roads. I know as a registered voter, I can count on you to represent my position on this issue.**

**I will try to be at the public hearing regarding this permit.**

**Sincerely**

**Ronald Hense  
5221 West Benton Lincoln, NE.  
402 429-1306**

---

Do you Yahoo!?  
Get on board. [You're invited](#) to try the new Yahoo! Mail.



**"Dave Zachek"**  
**<dzachek@neb.rr.com>**  
09/14/2006 05:08 PM

To <pnewman@lincoln.ne.gov>, <jcamp@lincoln.ne.gov>,  
<jcook@lincoln.ne.gov>, <amcroy@lincoln.ne.gov>,  
<reschliman@lincoln.ne.gov>, <ksvoboda@lincoln.ne.gov>,  
cc  
bcc  
Subject Motorsports Facility

**Lancaster County Planning Commission,**

**On Thursday August 31, 2006 GS Motorsports, Inc. with the assistance of attorney Mark Hunzeker submitted an application to Mike Decal at the Planning Department for a Motorsports Facility in Lancaster County Nebraska located at Branched Oak Road to Davey Road on the east side of Hwy 77 North. I'm writing to inform you that I thoroughly support a motorsport facility in Lancaster County and more importantly, at that location. This is a step forward for Lincoln and Lancaster County to bring in entertainment, private dollars, & reduce the street racing taking place on public roads. I know as a registered voter, I can count on you to represent my position on this issue.**

**I will try to be at the public hearing regarding this permit.**

**Sincerely**

**David W Zachek**

**1801 SW 17th Lincoln Nebraska 68522**

**(402)477-7721**



justin willadsen  
<dsf49jjw@yahoo.com>  
09/14/2006 10:26 PM

To pneman@lincoln.ne.gov, jcamp@lincoln.ne.gov,  
jcook@lincoln.ne.gov, amcroy@lincoln.ne.gov,  
reschliman@lincoln.ne.gov, ksvoboda@lincoln.ne.gov,  
cc

bcc

Subject Motorsports complex for Lancaster Co

Lancaster County Planning Commission,

On Thursday August 31, 2006 GS Motorsports, Inc. with the assistance of attorney Mark Hunzeker submitted an application to Mike Decal at the Planning Department for a Motorsports Facility in Lancaster County Nebraska located at Branched Oak Road to Davey Road on the east side of Hwy 77 North. I'm writing to inform you that I thoroughly support a motorsport facility in Lancaster County and more importantly, at that location. This is a step forward for Lincoln and Lancaster County to bring in entertainment, private dollars, & reduce the street racing taking place on public roads. I know as a registered voter, I can count on you to represent my position on this issue.

I will try to be at the public hearing regarding this permit.

Sincerely

Justin J Willadsen

634 Parkview Ave  
PO Box 401  
Eagle NE 68347

dsf49jjw@yahoo.com

John Deere AG Technician

---

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around  
<http://mail.yahoo.com>



**"David Newman"**  
**<Davidnewman3@hotmail.com>**

09/14/2006 11:15 PM

To <pnewman@lincoln.ne.gov>, <jcamp@lincoln.ne.gov>, <jcook@lincoln.ne.gov>, <amcroy@lincoln.ne.gov>, <reschliman@lincoln.ne.gov>, <ksvoboda@lincoln.ne.gov>,

cc

bcc

Subject motorsport facility in Lancaster County

**LancasterCountyPlanning Commission,**

**On Thursday August 31, 2006 GS Motorsports, Inc. with the assistance of attorney Mark Hunzeker submitted an application to Mike Decal at the Planning Department for a Motorsports Facility in Lancaster County Nebraska located at Branched Oak Road to Davey Road on the east side of Hwy 77 North. I'm writing to inform you that I thoroughly support a motorsport facility in LancasterCountyand more importantly, at that location. This is a step forward for Lincolnand LancasterCountyto bring in entertainment, private dollars, & reduce the street racing taking place on public roads. I know as a registered voter, I can count on you to represent my position on this issue.**

**I will be at the public hearing regarding this permit.**

Sincerely

**David Newman**

**1120 Salisbury CT #16**

**Lincoln, NE68505**



**Justin Pfeiffer**  
<ljpgfarms@yahoo.com>  
09/15/2006 12:37 PM

To pnwman@lincoln.ne.gov, jcamp@lincoln.ne.gov,  
jcook@lincoln.ne.gov, amcroy@lincoln.ne.gov,  
reschliman@lincoln.ne.gov, ksvoboda@lincoln.ne.gov,  
cc  
bcc  
Subject motorsport complex

**Lancaster County Planning Commission,**

**On Thursday August 31, 2006 GS Motorsports, Inc. with the assistance of attorney Mark Hunzeker submitted an application to Mike Decal at the Planning Department for a Motorsports Facility in Lancaster County Nebraska located at Branched Oak Road to Davey Road on the east side of Hwy 77 North. I'm writing to inform you that I thoroughly support a motorsport facility in Lancaster County and more importantly, at that location. This is a step forward for Lincoln and Lancaster County to bring in entertainment, private dollars, & reduce the street racing taking place on public roads. I know as a registered voter, I can count on you to represent my position on this issue.**

**I will try to be at the public hearing regarding this permit.**

Sincerely

**Justin Pfeiffer  
4407 R Rd  
Talmage Ne 68448  
Technician**

---

Do you Yahoo!?  
Get on board. [You're invited](#) to try the new Yahoo! Mail.



"Custom Speed Sound &  
Image"  
<admin@customssi.com>  
09/15/2006 01:17 PM

To <plan@lincoln.ne.gov>, <council@lincoln.ne.gov>,  
<commish@lincoln.ne.gov>, <mayor@lincoln.ne.gov>  
cc  
bcc

Subject Please also forward to all planning commissioners...

Dear City Officials,

I am writing this email to show my support for Mr. Greg Sanford and the building of a NHRA drag strip. I am the owner of a automotive performance business, and was just wanting to email you all to let you know that on a business level as well as a personal level think something like this would be very great for our community and state. I believe this track would bring tax revenue into the town/state. Through the revenue from resturants, hotels, gas stations, and other local businesses. I would also like to tell you that my business ships out thousands of dollars in performance/race parts to surrounding states and citys that have such establishments and is continually growing due to the rapidly growing rate of the automotive racing sports industry. I am sure this establishment would help increase local business for other automotive businesses also which in turn would once again bring more tax revenue into the community. If any of you would like to contact me i have listed my personal cell phone number as well as personal email below. Please respond to this email when you have time to let me know that you have recieved it. Thanks for your time and consideration...

Sincerly,

Joshua Ekstrum

Personal Cell # (402)217-0408  
Personal Email [j\\_ekstrum@yahoo.com](mailto:j_ekstrum@yahoo.com)

Custom S.S.I.  
[www.CustomSSI.com](http://www.CustomSSI.com)  
1-888-240-3715 / [sales@customssi.com](mailto:sales@customssi.com)



WebForm  
<none@lincoln.ne.gov>  
09/15/2006 09:38 AM

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

InterLinc: City Council Feedback for  
General Council

Name: Tom Weksser  
Address: 5940 Garfield St.  
City: Lincoln, NE 68506  
  
Phone: 525-6471  
Fax:  
Email: thomckean@yahoo.com

Comment or Question:  
To: Lincoln City Council  
Re: Zoning change Pius X

I strongly urge you to oppose the zoning changes for the following reasons.

Piux X has not had adequate parking for their students for many years. Their student's improper parking, litter, racing, etc. have been a concern to us. A few years back, I called their principal about the problem. He said: How do you know it is our students? (Perhaps the uniforms?) They are public streets and that wasn't the school's problem. Bottom line was it is your problem, not the schools, we don't have to do anything and we won't.

Our solution was to restrict parking in the neighborhood even though we would like to park our own cars in the street in front of our house. However, one street still allows parking, and the students park so far away from the curb, that it is at times impassable.

Access out of our neighborhood is nearly impossible on to A Street. You can't turn left (west) on to A street during rush hour from 58th (or other school times/functions). I have to travel east to Crestline (Clark Jeary corner) in order to go northwest every morning. This intersection is congested, but with much patience, you can turn west on to A Street. A few years ago, I called the traffic engineer about putting a trip light on the Crestline & A street corner. He told me that we were spoiled in Lincoln. If I wanted to go northwest, I should try to go south to South Street to get out of the neighborhood.

Any expansion of the school that will allow for more students to attend will only create additional parking problems. Their current addition of spaces is inadequate to meet the needs of the past. It is only catching up with part of the problem that they have been unwilling to face when left to their own governance.

The daycare issue will increase the traffic congestion in the area, specifically Crestline & A Streets during the busiest times of the day. Additional parking doesn't address this problem. It is a matter too much traffic already and the traffic engineer was not interested in the matter a few years ago. The quality of the surrounding neighborhood has been diminished and anything that further detracts from egress out of the neighborhood should not be allowed.

I recommend that more off street parking be required for Piux X to address the current parking problems. In addition, I recommend the denial of the daycare center, because the increased volume of traffic during rush hour will only exacerbate the current problem.

Thank you for your consideration.

Sincerely,

Tom Wekesser  
5940 Garfield St  
Lincoln, Ne 68506  
525-6471  
thomckean@yahoo.com



"shannon mcgovern"  
<midwestminichoppers@hotmail.com>

09/15/2006 04:19 PM

To plan@lincoln.ne.gov, council@lincoln.ne.gov,  
commish@lincoln.ne.gov, mayor@lincoln.ne.gov

cc

bcc

Subject Dragstrip info

Please visit my page. I am just a local drag race lover that dreams of a track close to home. <http://www.myspace.com/sm427>



"shannon mcgovern"  
<midwestminichoppers@hotmail.com>

09/15/2006 08:46 PM

To plan@lincoln.ne.gov, council@lincoln.ne.gov,  
mayor@lincoln.ne.gov, commish@lincoln.ne.gov

cc

bcc

Subject Please forward to: Planning Commissioners

Hello, I was born and raised here in Lincoln Nebraska. I own my property work very hard and pay my taxes. I believe that the proposed site for a Dragstrip in Lancaster county is hands down the perfect location. If this location will not work. Will you have other locations to present at the public hearing on October 11th? I would be willing to do the research on other possible locations if you would like. Please let me know thank you.



"shannon mcgovern"  
<midwestminichoppers@hotmail.com>

09/16/2006 11:36 AM

To AHartshorn@werner.com, angi\_guenther@hotmail.com,  
chartshorn@neb.rr.com, cody505911@yahoo.com,  
commish@lanaster.ne.gov, commish@lincoln.ne.gov,

cc

bcc

Subject What is a drag race?

plan@lincoln.ne.gov Please forward to Planning Commissioners

<http://www.nhra.com/streetlegal/whatisadrace.html>

Please visit this site. It is very educational. There are links to all nhra drag race tracks and there web sites. You can see there schedule of events to get an idea of what goes on at a drag strip.

Some of the permits needed for drag strip:

- \*Special Use permit : Lancaster County Planning Department
- \*Ground water appropriation: Lancaster County Health Department
- \*Septic permit: Lancaster County Health Department
- \*Storm water pollution prevention plan: NDEQ, NRD
- \*Highway 77 Access permit : Nebraska Dept of Roads
- \*County road maintenance agreements: Lancaster County
- \*Building code/electrical/health: state/local agencies
- \*NHRA drag strip requirements



- nhra link.wpd



"shannon mcgovern"  
<midwestminichoppers@hotmail.com>

09/16/2006 07:40 PM

To cpr.life@yahoo.com, commish@lancaster.ne.gov,  
commish@lincoln.ne.gov, council@lincoln.ne.gov,  
mayor@lincoln.ne.gov, plan@lincoln.ne.gov,

cc

bcc

Subject Permit#SP06051Dragstrip

Please forward to Planning Commissioners

Kansas has three (3) NHRA drag strips. Iowa has two (2). Nebraska has one (1) in Kearney the western part of our state. Please feel free to contact the tracks or people from the surrounding areas. To find out what great things the tracks have done for there communities. Im sure you will find that buisnesses are thriving, Families have come together and people have passion and love there towns! I beleive The proposed area is ideal! The track can be put in lower and burms built up the sides. Trees will be planted and the sound levels will be very low. Please let us have our track. Thankyou local supporter



- division\_5 (2).htm



"shannon mcgovern"  
<midwestminichoppers@hotmail.com>

09/16/2006 07:46 PM

To cpr.life@yahoo.com, commish@lancaster.ne.gov,  
commish@lincoln.ne.gov, council@lincoln.ne.gov,  
mayor@lincoln.ne.gov, plan@lincoln.ne.gov,

cc

bcc

Subject Permit#SP06051Dragstrip2

The message is ready to be sent with the following file or link attachments:

Shortcut to: [http://www.nhra.com/streetlegal/division\\_5.html](http://www.nhra.com/streetlegal/division_5.html)

NHRA tracks

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



- division\_5.url



Cbstokes1@aol.com  
09/19/2006 05:42 PM

To Cbstokes1@aol.com  
cc  
bcc  
Subject OMALiNK Can Now Serve Lincoln...Press Release

OMALiNK Can Now Serve Lincoln...Press Release

FOR MORE INFORMATION, CONTACT:  
RELEASE

FOR IMMEDIATE

Chris Stokes

OMALiNK, Inc.

Phone: (402) 770-6145 (cell)

Email: [cbstokes1@aol.com](mailto:cbstokes1@aol.com)

## **OMALiNK Can Now Serve Lincoln, PSC Reverses Decision**

*Company Affirms Limousine Authority, and Gains Open Class Authority to Operate its Vans within Lincoln*

Lincoln-September 19, 2006—OMALiNK, the scheduled van shuttle service offered between Lincoln, Omaha, and Eppley Airport has received the decision from the Nebraska Public Service Commission (NPSC) on its appeal to provide transportation within Lincoln on a zone basis. The decision comes at the end of an almost five month long legal process consisting of hearings and appeals. OMALiNK has gained the ability to offer its customers travel options besides just Lincoln and Omaha, which it was previously limited. The commission upheld the decision to grant OMALiNK authority for operating Limousines in LancasterCounty, and reversed it previous decision to deny OMALiNK the authority to take people within Lincolnon a zone basis.

“This is great news for the people of Lincoln...The people asked for more transportation options

within our city. The Public Service Commission listened to them, and granted authority to another transportation provider in Lincoln,” says OMALiNK president, Chris Stokes. “OMALiNK will provide another option for both Limousine service, as well as a van service that charges on a zone basis around Lincoln. For many years the only options for transportation around Lincoln was VIP Limousine and the taxicab company, both of which were operating as a monopoly,” said Stokes. “OMALiNK will NOT be a taxi service, but provide a service that utilizes vans and charges on a zone or hourly basis.” For example, OMALiNK will now be able to pick people up at their houses and take them to the Lincoln airport, or any other destination within Lincoln.

The original core OMALiNK service operates between Lincoln and Omaha, using a fleet of passenger vans that depart every two hours, starting at 5 a.m. OMALiNK has safely transported over 23,000 passengers between the two cities. The vans conduct a city-to-city loop throughout the day with the last van departing Omaha at 11 p.m. Times are often flexible with prior arrangement; and OMALiNK will usually stay and wait for you if your flight is delayed. The vans make regular stops in Lincoln at the University of Nebraska, and a number of local hotels. The vans travel on I-80 to Omaha, with regular stops in downtown Omaha, and the airport terminal at Eppley Airfield. Passengers may also make special requests to be picked up and dropped off at alternative exits along I-80.

Reservations are encouraged to guarantee a seat, and are taken using the OMALiNK web site ([www.omalink.com](http://www.omalink.com)), via telephone at 475-LiNK (5465), or through local travel agents. Walk-up customers are also welcome to travel on a space available basis. ###



Wayne Boles  
<WBOLES@telesis-inc.com>

09/20/2006 03:17 PM

To "LincolnJSEd&ReaderNetwork (E-mail)"  
<krutledge@journalstar.com>

cc

bcc

Subject: City Funding

If we assume that our friends and neighbors who work in City of Lincoln government are continuously streamlining procedures and implementing cost-savings, informed citizens and community leaders should be insisting that the City of Lincoln's budget be commensurate with the combined consumer price index rate and the population change rate.

During the last 12 months, while the consumer price index grew by 3+, the population of Lincoln\* grew by 1%, justifying an increase of 4+ in the City budget.

The City budget, however, decreased from \$131.6 million to \$130 million. One variable being one less pay period in the new '06-'07 budget. Another variable is the declining sales tax revenues. In last year's budget, sales taxes accounted for 42% of the budget, while declining to 41% this year. Some suspect that unreported and uncollected taxes on internet sales account for this decline. At any rate, a lot of important items were cut in this year's budget and each citizen will eventually feel the impact.

A Democracy cannot function unless the governed provide positive solution-oriented participation. If we are to count on our local government for economic development support, infrastructure, safety, security and a myriad of human services, we must properly fund our government. If sales taxes become unreliable, our government will have no choice but to look for other revenue sources. The forcing of internet vendors to collect local sales taxes would probably require Federal legislation. In order to implement local income taxes to replace sales taxes would require State or Federal legislation. The City, however, probably has the ability to impose occupation taxes.

If we are to enjoy a viable local government, we must help choose the solutions, while insisting that our City government be efficient and adequately funded.

Wayne Boles  
506 University Towers  
128 N. 13th Street  
Lincoln, NE 68508  
(402) 434-5973

\*Lincoln Population:

7/1/2005: 239,213

7/1/2006: 242,562

--Kent Morgan, City-County Planning Dept.



Twyla Hansen  
<twylahansen@alltel.net>  
09/20/2006 07:35 PM

To council@lincoln.ne.gov  
cc mayor@lincoln.ne.gov  
bcc  
Subject RR Crossing at 44th & Cornhusker Hwy.

TO: Lincoln City Council  
CC: Coleen Seng, Mayor  
FROM: Tom & Twyla Hansen  
RE: RR Crossing at 44th & Cornhusker Hwy.  
DATE: Sept. 20, 2006

This is in response to an article in Monday's Lincoln Journal Star that may come before the city council because of a petition drive to close the railroad crossing at 44th & Cornhusker Highway.

We have lived in the vicinity of 44th & Cornhusker since 1966: first Tom with his parents at 4209 Colfax, then Tom, I and our family at 3601 N. 44th St., and since 1972 we have lived at 4140 N. 42nd St. Circle. Our son and his family now live near 44th & Colfax Circle.

Trains and train whistles are a fact of life in northeast Lincoln. Over the years they have and have not bothered us, depending on which way the wind blows and if we have the windows open at night. But we certainly understand how they would bother those who live closer to the crossing, especially now that there are so many more trains through Lincoln. The newspaper article says that "trains are required to blow their horns as they approach railroad crossings that don't have adequate safety devices such as flashing lights and crossing gates." However, this crossing has both flashing lights and crossing gate arms.

The RR crossing at 44th & Cornhusker is very convenient for us, by vehicle, bicycle or by foot. If the RR crossing is closed there, we can drive further to 48th St. or 33rd St. to reach our destination. However, this closing would become less convenient when we are on a bike or on foot. Often we connect with the John Dietrich bike trail just south of the tracks at 44th & Cornhusker to go to East Campus or downtown.

So, if the crossing is closed at 44th St., it would be about a mile between crossings for bikes or pedestrians. There is a sidewalk along the south side of Cornhusker Hwy. from 44th St. to 48th St., but not from 44th St. to 33rd St.

Rather than taking the drastic step of closing the crossing, could something be done to mitigate the train whistle noise? We've heard of technology that narrows the path of sound waves. Could BNSF be approached with this idea? Also, could trees be planted along that stretch of Cornhusker Hwy. from 48th to 35th Street to help soften the noise? We've often thought this would be a way to beautify the area.

Whether the RR crossing is closed or not, we hope that the traffic light at 44th & Cornhusker stays. It is a busy area with nearby businesses, homes and apartments, and was a dangerous intersection

before the light was installed.

Thank you.

Tom & Twyla Hansen  
4140 N. 42nd St. Circle  
466-5839



"Ben Schiltz"  
<ben.schiltz@gmail.com>  
09/20/2006 09:08 PM

To plan@lincoln.ne.gov, council@lincoln.ne.gov,  
mayor@lincoln.ne.gov, commish@lincoln.ne.gov  
cc  
bcc

Subject Nebraska Motorplex race track

Hello,

My name is Ben Schiltz and I am writing this letter to show my support for the proposed racetrack north of Lincoln. As a youth I sometimes have a hard time finding safe, legal, and affordable activities to fill my free time outside school and work, especially on the weekends. I often find myself sitting with several friends in one of our basements' doing nothing and wishing there were more activities for youth in Lincoln.

One of the major issues surrounding the proposed racetrack is illegal street racing. While I've never raced on the streets, I know several of my peers have and do. When I asked them why, most of them said it's because they have nowhere else to go to race, especially with the close of the racetrack in Scribner, NE. I believe opening this track would greatly reduce the organized street racing in Lincoln by offering a safe and legal place for people to compete.

I believe this track would offer a safe, legal, and exciting place for the youth and adults of Lancaster county and ask you to approve Greg Sanford's application for a racetrack near Lincoln.

Thank you for your time,

Ben Schiltz



## Capital Humane Society

A private, non-profit organization serving Lincoln  
and the surrounding area since 1902.

2320 Park Boulevard  
Lincoln, Nebraska 68502  
Phone: (402) 441-4488  
Fax: (402) 438-6182

RECEIVED  
SEP 18 2006  
CITY COUNCIL  
OFFICE

September 15, 2006

Patte Newman, Chair  
Lincoln City Council  
555 S. 10<sup>th</sup> Street  
Lincoln, NE 68508

Dear Ms. Newman:

I am writing on behalf of Capital Humane Society with a concern about the Council's response to the comments of Mr. Meyer during the Council meeting of September 11, 2006.

Capital Humane Society works with the City Health Department to address issues involved when an excessive number of animals are confined together. In the case of Mr. Meyer, Animal Control removed approximately 145 cats from his home. The cats were delivered to Capital Humane Society and some were in extremely poor physical condition. As a result, the City of Lincoln charged Mr. Meyer with animal cruelty and neglect. Capital Humane Society gave the cats medical treatment and necessary care. The majority of the cats were placed in new homes and, unfortunately, some were humanely euthanized, all in accordance with our agreement with the City.

We understand that it is the Council's policy to permit citizens to offer whatever observations they wish during the time allotted to them. However, in Mr. Meyer's comments, he stated that Mr. Downey "killed, murdered and executed" his cats and Mr. Meyer was then given an apology from the Council for what he had been through. Neither Bob Downey, as Executive Director, nor Capital Humane Society deserves this lack of support from the City. Our animal shelter performs services for the City's Animal Control program, including difficult situations such as the one involving Mr. Meyer.

Sincerely,

George Green, President  
Capital Humane Society Board of Directors



"Sheila Wall"  
<sjwall@neb.rr.com>  
09/21/2006 01:48 PM

To <council@lincoln.ne.gov>  
cc  
bcc  
Subject Downzoning 40th & A Neighborhood

Our concern with our older neighborhood is that single family houses are being purchased by investors and turned into duplexes. The lots are not big enough. Most of these houses only have single stall garages. People now own at least two cars.

There is not enough parking areas.

Sheila Wall

**ADDENDUM  
TO  
DIRECTORS' AGENDA  
MONDAY, SEPTEMBER 25, 2006**

**I. MAYOR -**

1. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of September 23 through 29, 2006 - Schedule subject to change.
2. NEWS RELEASE - RE: Long Range Transportation Plan Is Focus Of Open Houses.

**II. CITY CLERK - NONE**

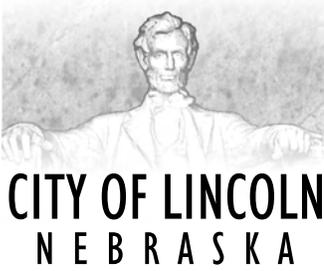
**III. CORRESPONDENCE**

**A. COUNCIL REQUESTS/CORRESPONDENCE - NONE**

**B. DIRECTORS AND DEPARTMENT HEADS - NONE**

**C. MISCELLANEOUS -**

1. Letter from Dwaine W. Rogge - RE: North 56<sup>th</sup> & Arbor Road Redevelopment Plan.
2. Letter from Waylon Marr - RE: Water District.
3. E-Mail from Patricia A. Olson - RE: In support of the downzoning of my neighborhood-40th & A Neighborhood.
4. Letter from Bruce J. Bohrer, Lincoln Chamber of Commerce, Senior Vice President & General Counsel-Public Policy - RE: The Lincoln Chamber of Commerce supports the North 56<sup>th</sup> Street & Arbor Road Redevelopment Plan in the form approved by the Planning Commission.
5. E-Mail from Susie Dunn - RE: In support for the zoning change request made by the 40<sup>th</sup> & A Neighborhood Association - Application #06040.



# NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

## **PUBLIC WORKS AND UTILITIES DEPARTMENT**

Engineering Services, 531 Westgate Blvd., Lincoln, NE 68528, 441-7711, fax 441-6576

**FOR IMMEDIATE RELEASE:** September 22, 2006

**FOR MORE INFORMATION:** David Cary, Transportation Planner, 441-6364

Virendra Singh, Long Term Planning Manager, 441-7835

### **LONG RANGE TRANSPORTATION PLAN IS FOCUS OF OPEN HOUSES**

Two public open houses are scheduled next week to gather opinions on the City and County's future transportation needs through the year 2030. The open house meetings are an important step in updating the City/County Long Range Transportation Plan (LRTP).

"All of our meetings are to give the public an avenue to view the material, visit with staff and comment on what they think about the update," said Karl Fredrickson, Director of Public Works and Utilities. "While we have a draft document for public review, no alternatives have been eliminated. We want to hear further from the public on how they would like to improve our transportation system."

Fredrickson said public input on the update thus far has been valuable in updating the transportation plan to reflect new growth areas added to the city in recent years. "We've updated the Lincoln-area traffic model to reflect anticipated growth," said Fredrickson. "We are now seeking additional ideas on improvements people would like included in the future transportation plan."

The open houses are scheduled for:

- Wednesday, September 27, 5 to 7 p.m., Gere Library, 2400 S. 56th Street
- Thursday, September 28, 5 to 7 p.m., Lower Platte South Natural Resources District, 3125 Portia Street

The LRTP is a major component of the Lincoln-Lancaster County Comprehensive Plan, which was adopted in May 2002. Federal regulations require the City to update its LRTP every five years. As part of the Comprehensive Plan, the City-County Planning Commission has given preliminary approval to the City's "future service limit," which shows the areas where utility services and future growth will occur in Lincoln through the year 2030.

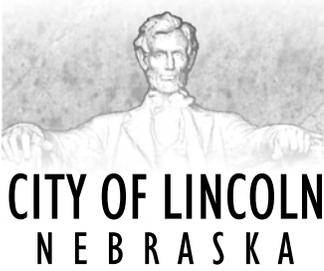
At the open houses, the public will have the opportunity to comment on the major transportation topics in the Comprehensive Plan: pedestrian facilities; bicycle facilities; public transit; roads and streets; intelligent transportation systems; maintenance; railroads; airports; and goods and freight.

- more -

**LRTP Open Houses**  
**September 22, 2006**  
**Page Two**

Information gathered from the open houses will be used to develop recommendations to forward to the Planning Commission and to draft the final document. The updates of the Comprehensive Plan and the LRTP are expected to be completed by the end of 2006.

Those needing special assistance at an open house can contact the Planning Department at 441-7491 at least 48 hours before the meeting. For more information on the Comprehensive Plan and the LRTP, see the City-County Web site at [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: cpupdate).



# NEWS ADVISORY

MAYOR COLEEN J. SENG

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

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Date: September 22, 2006

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

**Mayor Seng's Public Schedule**  
**Week of September 23 through 29, 2006**  
*Schedule subject to change*

Saturday, September 23

- Food Share, volunteer - 7:30 a.m., Fourth Presbyterian Church, 5200 Francis

Sunday, September 24

- Lincoln Arts Festival, artwork judge - 10 a.m., SouthPointe Pavilions, 27th Street and Pine Lake Road

Monday, September 25

- International Visitor from China - 4 p.m., Mayor's Office, 555 S. 10th St.

Tuesday, September 26

- KLIN call-in show with Mark Halvorsen and Charlie Brogan - 8:10 a.m., Broadcast House, 4343 "O" St.

Wednesday, September 27

- A to Z Printing 20th Anniversary Celebration - 5 p.m., Sheldon Art Gallery, 12th and "R" streets, Great Hall

Thursday, September 28

- Nebraska School Activities Association ground breaking ceremony, remarks - 2 p.m., Haymarket Park, 403 Line Drive

Friday, September 29

- Gay, Lesbian, Transgendered Day, proclamation - UN-L Union Square Plaza
- Indian Center Annual Dinner - 5:30 p.m., Indian Center, 1100 Military Road

September 21, 2006

Patte Newman, Chair  
Lincoln City Council  
555 S. 10th St  
Lincoln, NE 68508

RECEIVED

SEP 22 2006

CITY COUNCIL  
OFFICE

Re: North 56th & Arbor Road Redevelopment Plan

Dear Ms. Newman and Council Members:

I am the owner of land in the vicinity of North 56th and I-80 which I have wanted to develop for commercial purposes for approximately 15 years. During that time, I have participated in several efforts to convince the city to extend sewer and water to this area. Together with other property owners, I have paid for the design, and redesign of the trunk sewer to serve the area between Salt Creek and I-80, and have pleaded with the city to move forward with services to this area. We have wonderful access with both Highway 77 and I-80 having been built by the state, but without sewer and water service, the area simply cannot be developed in the manner it should.

It is my understanding that the Redevelopment Plan before you has been modified to eliminate the residential area from the plan, due to objections from the Lincoln Public Schools. Without the TIF financing from that small residential area, I'm told we can't raise enough money for the sewer line to be built north from Alvo Road to the Interstate. That is where we need the sewer!! In my opinion, the area south of the Interstate will develop close to the interchange first, then move south. If the sewer does not get extended to the interstate, the most valuable property will not be able to develop for several more years.

Please approve the Redevelopment Plan in the form approved by the Planning Commission, including the small area of residential development. The commercial development that small TIF district could start will enable you to pay off the TIF bonds early. This area is unique, and has been overlooked by the city for a long time.

Sincerely,



Dwaine W. Rogge

RECEIVED

SEP 22 2006

CITY COUNCIL  
OFFICE

9-21-06

WAYLON + KUSTEN MARR  
6719 ORCHARD ST  
LINCOLN, NE 68505

RE WATER DISTRICT

TO WHOM IT MAY CONCERN:

MY WIFE + I DID NOT OPPOSE A PROPERTY TAX INCREASE THIS SPRING, BUT WE DO OPPOSE THIS WATER DISTRICT. WE DO NOT FEEL IT IS THE INDIVIDUAL PROPERTY OWNERS RESPONSIBILITY TO PAY FOR A SERVICE TO OUR HOME - ISN'T THIS WHAT OUR TAXES ARE USED FOR? WE HAVE NOT SEEN ANY STREET, SIDEWALK, OR OTHER IMPROVEMENTS IN OUR NEIGHBORHOOD IN THE 6 YEARS WE HAVE LIVED HERE. I WOULD ALSO LIKE YOU ALL TO KNOW THAT WE DO NOT HAVE THE EXTRA INCOME TO PAY FOR THIS SERVICE UP FRONT, NOR DO WE HAVE ROOM FOR MORE ADDED MONTHLY PAYMENTS. MONEY IS VERY TIGHT RIGHT NOW, AND ALL THE EXTRA THAT WE HAVE IS GOING TO OUR 3 1/2 YR OLD SON'S (WYATT) PRE-SCHOOL + DAYCARE! MY WIFE + I BOTH WORK FULL TIME JOBS WITHIN THE CITY AND LAST OCTOBER I LOST MY JOB OF 6 YEARS DUE TO THE SLOW DOWN IN CONSTRUCTION. I AM IN THE PROCESS OF TAKING 6000.00 - 7000.00 OUT OF MY RETIREMENT TO PAY OFF DEBTS THAT WE CANNOT AFFORD THE INTEREST ON AND DO NOT WANT THIS FINANCIAL BURDEN PUT ON US.

SINCERELY,

WAYLON MARR  
W/M



**Patty Olson**  
<pao@unlserve.unl.edu>  
09/25/2006 08:10 AM

To <council@lincoln.ne.gov>  
cc  
bcc  
Subject 40th & A Neighborhood

In addition to my phone call to your office, I wish to reiterate my support of the downzoning of MY neighborhood. There are sufficient duplex/rental units in Lincoln, so creating these housing units in thriving neighborhoods is NOT necessary. Your cooperation will be appreciated.

Patricia A. Olson  
4220 Mohawk Street  
Lincoln, NE 68510

# LINCOLN

*The Community of Opportunity*

Chamber of Commerce



September 22, 2006

RECEIVED

SEP 25 2006

CITY COUNCIL  
OFFICE

Members of the City Council:

I am out of town and unable to attend the public hearing on this matter, but wish to inform you that the Lincoln Chamber of Commerce supports the North 56th Street & Arbor Road Redevelopment Plan in the form approved by the Planning Commission.

We understand that some concerns have been expressed regarding the use of a small portion of the proposed residential development for Tax Increment Financing. It is our understanding that construction of the sanitary sewer line to serve the proposed industrial park north of I-80 would be paid for with the TIF, and no part of the TIF would directly benefit the residential development. It is also our understanding that the construction of both sewer and water to the proposed industrial park would likely be delayed for two to three years if TIF dollars generated by this small part of the residential development are not used for the sewer construction.

We believe Lincoln needs the land on the north side of I-80 for a large industrial park, and that without utilities, it will be nearly impossible to convince a prospective employer to choose that site. Most large users will not even consider a site unless utilities are immediately available.

While we understand the concerns expressed about the use of TIF on residential projects, this appears to be a unique situation which would not, and should not set a precedent for using TIF to build residential projects. None of the TIF is proposed to directly benefit the residential project in this case. In addition, TIF bonds can be retired early, and future commercial projects in the area could provide the revenue to do just that.

This is an important project for Lincoln. We hope you will exercise your discretion in favor of this limited use of TIF to provide significant economic development opportunities for Lincoln.

Sincerely,

Bruce J. Bohrer

Senior Vice President & General Counsel – Public Policy



"S.M. Dunn"  
<mls2551@alltel.net>

09/25/2006 09:34 AM

Please respond to  
mls2551@windstream.net

To <council@lincoln.ne.gov>

cc

bcc

Subject

I am writing to express support for the zoning change request made by the 40th & A Neighborhood Association (Application #06040) The Association's efforts to support and sustain the character and quality of the neighborhood has resulted in noticable efforts on the part of several residents to make property improvements and participate in the Association's activities. Residents that I have spoken with support the request and see it as beneficial for them and the neighborhood.

I too believe the the zoning change requested makes sense for the neighborhood as a whole, and I encourage your support of the application.

Sincerely,

Susie Dunn  
4000 Garfield St.