IN LIEU OF
DIRECTORS' MEETING
JULY 28, 2014

I. CITY CLERK

II. MAYOR

1. NEWS RELEASE. Mayor to present May Award of Excellence to Police Officer Luke Bonkiewicz.
2. NEWS ADVISORY. The Beutler Administration and the Lincoln City Council will announce a compromise on the 104-16 City budget at a news conference, Thursday, July 24th, 3:00 p.m., 555 S. 10th, in the Council Chambers.

III. DIRECTORS CORRESPONDENCE

COMMISSION ON HUMAN RIGHTS

1. Commission on Human Rights meeting agenda for Thursday, July 31, 2014.

CABLE TELEVISION/TELECOMMUNICATIONS ADVISORY BOARD

1. Telecommunications/Cable Television Advisory Board meeting minutes of April 24, 2014.
2. Telecommunications/Cable Television Advisory Board Meeting agenda for July 24, 2014.

HEALTH DEPARTMENT

1. NEWS RELEASE. Residents encouraged to protect pets from heat.

PLANNING COMMISSION

1. Action by the Planning Commission, July 23, 2014.
2. Planning Commission Final Action, July 23, 2014.

PLANNING DEPARTMENT

1. Correspondence from Paul Barnes, Lincoln-Lancaster County Planning Department, regarding attendance for the South Haymarket Neighborhood Study briefing.
2. Administrative approvals by the Planning Director from July 15, 2014 through July 21, 2014.

IV. COUNCIL MEMBERS

JON CAMP

1. Message received at other office on the Parks budget.
2. Lindy Mullin stating additional objections to proposed apartment complex at Sherman and Holmes Park Road, and thanking Councilman Camp for attending area evening meeting.

V. CORRESPONDENCE FROM CITIZENS

1. Charles Sadler requesting Council look into a senior discount on the wheel tax.
   a) Reply from Councilman Jon Camp.
2. Mary M. Eisenhart, ECCO Board President. The ECCO Neighborhood Board is in support of the proposed Neglected/Vacant Residential Buildings Ordinance.
3. Randall B. Smith, Woods Park Neighborhood Association President. The Woods Park Neighborhood association supports the proposed ordinance on vacant and neglected residential properties.

4. Anne M. Cognard in opposition to the proposed apartment complex by Chateau Development at Sherman and Holmes Park Road.
5. James C. Klein. Urge rejection of Special Permit No. 1665C, Van Dorn Meadows CUP as the proposal violates no less than six design principles in the Comprehensive Plan with compliance being mandatory.
   a) James Klein's letter outlining that no CUP design supports the location of this proposed apartment building (CP 7.5).
6. Russell Irwin, Clinton Neighborhood Organization President. The Clinton Neighborhood Organization voted to support the neglected building ordinance.
7. Delores Lintel writing in support for the Neglected Property Ordinance.
8. Henry and Jenne Rodriguez. Vote no for Resolution 14R-193, Special Permit 1665C, proposed Chateau development for Van Dorn Meadows, listing reasons.
9. Larry L and Sue Williams. Strongly oppose the rezoning proposal for Outlot B at the intersection of Sherman Street and Holmes Park Road to allow apartment building(s).
10. James Friedman, Near South Neighborhood Association President. The NSNA supports the sales tax increase revision and distribution proposed.

F:\FILES\CITYCOUN\Directors Meetings\2014\July 2014\da 07.28.14.wpd

CITY OF LINCOLN NEBRASKA

NEWS RELEASE

MAYOR CHRIS BEUTLER lincoln.ne.gov

OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 402-441-7511

FOR IMMEDIATE RELEASE: July 21, 2014
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 402-441-7831

MAYOR TO PRESENT MAY AWARD OF EXCELLENCE

Mayor Chris Beutler today will present the Mayor's Award of Excellence for May to Police Officer Luke Bonkiewicz of the Lincoln Police Department's (LPD) Southeast Team. The award will be presented at the beginning of today's City Council meeting at 3 p.m. in the City Council Chambers, 555 S. 10th St. The monthly award recognizes City employees who consistently provide exemplary service and work that demonstrates personal commitment to the City.

Bonkiewicz has worked for the City since 2011, and was nominated by Police Sergeant John Walsh in the categories of customer relations and productivity for a study he conducted regarding the LPD mental health referral program.

Bonkiewicz approached Sgt. Walsh last fall of 2013 about an idea he had for a Problem Oriented Policing (POP) project. He wanted to complete a scientific study of LPD's referral program involving the Mental Health Association of Nebraska or MHA.

Bonkiewicz makes a large number of referrals to MHA and wanted to confirm the positive effect it was having on those with mental health issues. His plan was to obtain information from LPD reports about the people who had been referred to MHA and to compare police contacts six months prior to referral and six months after. He would then develop a list that included self-reported mental health diagnoses, number of arrests, mental health investigations, and reports that the person had been victimized. The final step was to use a computer program to calculate the results.

For two months, Bonkiewicz flexed his shift hours to start compiling data. A UNL intern helped him review the experiences of more than 150 people who had been referred to MHA by LPD and had accepted services from MHA. They then reviewed the police reports for more than 700 people who had been the subject of a mental health investigation in the City.

His detailed 31-page report showed that the referral program was helping those with mental illness. It found that those who accepted help from MHA were 16 to 22 percent less likely to be arrested. They were also less likely to be the subject of a mental health investigation six months after the referral. In addition, the referral program also helped reduce the number of times a party may be placed into Emergency Protective Custody. By helping those with mental health issues, the program reduced the number of contacts that police officers had with those who had been referred to MHA.

-more-

Walsh wrote, "The study helps to validate the referral program and has been used as a reminder to officers and those in the community of the value of the relationship developed between LPD and MHA. Officer Bonkiewicz's efforts went well beyond the normal scope of a POP project."

The research project helped the MHA receive a grant from the Community Health Endowment, and the study has been submitted to several police publications.

The other categories in which employees can be nominated are loss prevention, safety and valor. Consideration also may be given to nominations that demonstrate self-initiated accomplishments or those completed outside of the nominee's job description. All City employees are eligible for the Mayor's Award of Excellence except for elected and appointed officials.

Individuals or teams can be nominated by supervisors, peers, subordinates and the general public. Nomination forms are available at lincoln.ne.gov (keyword: hr) or from department heads, employee bulletin boards or the Human Resources Department, which oversees the awards program. All nominations are considered by the Mayor's Award of Excellence Committee, which includes a representative with each union and a non-union representative appointed by the Mayor. Award winners receive a $50 gift certificate, a day off with pay and a plaque. All monthly winners and nominees are eligible to receive the annual award, which comes with a $250 gift certificate, two days off with pay and a plaque.

CITY OF LINCOLN NEBRASKA

NEWS ADVISORY

MAYOR CHRIS BEUTLER lincoln.ne.gov

OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 402-441-7511

DATE: July 24, 2014
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 402-441-7831

The Beutler Administration and the Lincoln City Council will announce a compromise on the 2014-16 City budget at a news conference at **3 p.m. TODAY, Thursday, July 24 in the City Council Chambers, first floor of the County-City Building, 555 S. 10th Street.**

CITY OF LINCOLN
COMMISSION ON HUMAN RIGHTS
Thursday, July 31, 2014, 4:00 p.m.
City County Building, 1st Floor, 555 South 10th Street
AGENDA

I. Roll Call
II. Approval of Minutes of June 26, 2014 Commission Meeting
III. Approval of Agenda for July 31, 2014 Commission Meeting
IV. Case Dispositions
    A. Reasonable Cause / No Reasonable Cause
        1. LCHR NO.: 13-1213-038-E-R
        2. LCHR NO.: 14-0603-014-H
        3. LCHR NO.: 14-0610-015-H
    B. Pre-Determination Settlement Agreements
        1. LCHR NO.: 14-0512-010-H
    C. Successful Conciliation
        1. LCHR NO.: 13-0905-028-E-R
        2. LCHR NO.: 13-0911-030-E-R
V. Old Business
    A. Training / Conferences
    B. Outreach Activities
VI. New Business
    A. Civil Rights Conference
    B. Award Nominations
VII. Public Comment**
VIII. Adjournment

Public comments are limited to 5 minutes per person. Members of the public may address any item of interest to the LCHR during this open session ***with the exception of LCHR cases*. Also, no member of the public who wishes to address the Commission will be allowed to examine any individual Commissioner or staff member on any item/question before the Commission unless invited to do so by the Chairperson.

ACCOMMODATION NOTICE
The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.

City of Lincoln
Telecommunications/Cable Television Advisory Board
Meeting Minutes – April 24, 2014

Members Present: Andy Beecham, Steve Eggland, Ed Hoffman, John Neal, Jim Johnson, Laurie Thomas Lee, Art Ziegelbaum

City Staff: Jamie Wenz, David Young
Representatives of Time Warner Cable (TWC): Jarad Falk, Tyler Hedrick, Bill Austin (attorney appearing on behalf of TWC)

Call to Order

Meeting was called to order at 4:00 p.m. by chair Ed Hoffman. Hoffman made note of the copy of the Open Meetings Act at the back of the room. Board members and guests introduced themselves.

Neal moved approval of the minutes from 10/24/2013; Eggland seconded, motion passed 7-0.
Ziegelbaum moved approval of the minutes from 1/23/2014; Neal seconded; motion passed 7-0.

New Business

Nominations for Vice-Chair
Position of vice-chair had been vacated due to the resignation of Dara Troutman; election was held to fill the position.

Hoffman nominated Art Zygielbaum as Vice-Chair; Lee seconded. No other nominations were brought forward. Motion passed 7-0

Time Warner Comcast Transfer

Steve Huggenberger from the City Attorney's office distributed a copy of the filing that the City received from Comcast on 4/10/2014. The City is given 120 days to review the Comcast document. There are two important timeframes: we have a 120 day review period; Huggenberger has a short list entitled "Unresolved Franchise Issues." Second is a 30-day window; the City has the opportunity to challenge anything that we think is inaccurate in the application. Huggenberger thinks we need to come up with an evaluation of the franchise performance. We need to get those requests to ComCast as soon as we can. The 120-day period ends August 8th. The board would have to act quicker than that in order to get something to the City Council. An extension is possible but would need the approval of both parties.

Huggenberger would like to see a subcommittee act as advisory on the shorter 30-day period; the full board would probably have to address whatever the subcommittee comes up with.

Zygielbaum asked in terms of evaluating past performance what we have. Huggenberger said that we have customer complaints. We can look at public interest; whether the transfer affects competition; franchise issues that have not been complied with. Huggenberger would guess that if we come up with compliance issues, we will probably sit down with the attorneys and discuss. It might lead to a court case.

All that Huggenberger has is the written request to transfer from ComCast; no details.

Hoffman agrees that it is a good idea to have a subcommittee. 30-day timeline ends May 10.

Zygielbaum asked what happens if the merger is not approved. Huggenberger thought that the transfer would not be valid unless the merger is approved. From TWC, Falk thought that was correct, and Austin agreed.

Huggenberger said he sat in on a webinar about the merger earlier this afternoon; the speakers there thought that it would be 2015 before the final decision on the merger.

Zygielbaum asked if there is a reason to hold public hearings. Hoffman thinks that there should be a special meeting of the board after the subcommittee meets. He would want it to be sometime before the 120-day period expires.

Hoffman asked if the subcomittee could involve Huggenberger; Huggenberger agreed. With respect to the May 10th deadline, this is very quick; he would like to see two meetings before May 10th. Hoffman asked who would be interested. Hoffman thinks he would like to be available. We could set up a conference call for meetings if needed. Zygielbaum asked if subcommittee notes had

to be made public. Huggenberger said that subcommittees don't have to be. Huggenberger thinks that we will not have time to have another board meeting before the 30 days is up.

Eggland asked if we could extend the deadline; Huggenberger said that we could but he would not anticipate that they would agree with it.

Hoffman: Subcommittee would have to meet prior to the 120-day period. Would they have authority to speak on behalf of the board? Huggenberger thinks not.

Subcommittee would have to meet next week sometime as well as the week of May 5th.

Huggenberger thinks that it will be unlikely that we will find findings of inaccuracy, and that it would be fairly technical. He doesn't think a meeting of the board would be useful.

Zygielbaum suggested that we form the subcommittee, and if the subcommittee feels that a special meeting is needed they could call a meeting. Hoffman appointed the subcommittee members: Hoffman, Lee, Zygielbaum, and Neal; Huggenberger will also be asked to meet with the subcommittee. Hoffman will serve as chair for the subcommittee.

Hoffman moved the above members as the subcommittee; Johnson seconded, motion passed 7-0.

Hoffman asked if TWC had any comments. Falk said that initially TWC had said that they would be willing to divest 3000 subscribers nationally; he thinks that it might give regulators a little more ease with the agreement. In the last few days he's seen that ComCast is in agreement with Charter. Falk said they don't know. There are more questions than answers.

Huggenberger said that there were a significant number of ComCast subscribers that were not receiving the Form 394s. Falk said that's correct, but many TWC subscribers.

Old Business

Fiber conduit

Young addressed the board. He distributed a color map entitled “Lincoln ITS Communications Plan: Fiber Ring Structure” which is being considered in conjunction with the City/County Master Plan. There is about a 10-12 year plan at $750,000 per year to add portions of the map which are colored green; if a proposed sales tax increase is passed by the voters this fall we could do add another $750,000 per year and it could go to a 5-year plan instead of a 10-year plan. The City feels that there is great opportunity for use of the new fiber.

Zygielbaum asked if the City is putting in fiber on their own. Young said yes. Zygielbaum asked if there are restrictions on use; Young said that usage is restricted by state laws.

Young said that we have 90 miles today; about 30 miles is multi-mode; the rest is single mode.

Zygielbaum said that in the franchise there is the ability for the city to buy the franchise from the franchisee. He asked if that exists in the fiber as well. Young said that it does in a way. There is an option to buy assets if someone is leaving the City, and there are ways to do that. He doesn't think it's likely. Hoffman asked if the City would pay for that; Huggenberger said that it would depend on the agreement.

Zygielbaum asked if there is provision of ownership. Young said that the City owns the fiber that's placed in the right of way, but the property owner owns the fiber which is on their property. Zygielbaum asked if that means that the City would not be providing fiber directly to apartment complexes. Young said that is correct; we’re a conduit but we don’t own the connections.

Hoffman asked if there is something that the Board could do to help this process. Young is asking for the board members to help as community members, not for action by the board itself. There is great value to the community; he asks individual members to let their Council members know that they feel it's important. Whenever a new franchisee comes into the community this board would have the ability to comment on the franchise.

Zygielbaum asked if there are standards. Young said that we are limited in performance standards; we can dictate engineering standards. Zygielbaum said that he would like to see that the conduit is used as well as it can be; Young agreed.

Lee asked whether, if a user wanted to use the fiber for broadcasting of Cable TV, there would be a franchise required. Huggenberger said Yes. Lee said that if it were only broadband Internet then they wouldn't necessarily have to have a franchise, correct? Young said that's correct.

Hoffman asked if the initial $750,000 per year plan has been approved; Young said it has, and it will be submitted to the Mayor.

Lee asked if there are just certain points on the rings where you can tap into the structure. Young said that theoretically you could tap in anywhere; however there are parts of the City that you couldn't really do this. Lee asked if the City defines where those points are. Young said yes; users have to apply for City approval.

Zygielbaum asked who is liable if a company comes in and starts pulling fiber, and breaks the conduit: the City or the company. Young said that the company is liable; they are required to buy insurance that will cover the City and other users of the conduit.

Wi-Fi Proof of Concept Proposal

Young distributed a Wi-Fi Proof of Concept Proposal.

The City will be installing Wi-Fi at Iron Horse Park, near 7th & Q Streets. There are about 1000 visitors every weekend. There will be a company that comes in to provide wi-fi to the park. There would be bandwidth to provide services. We would use the fiber, with a couple of local providers, and the fiber connection to our backbone. In return, if you log in to Haymarket wi-fi, the providers would get advertising on the login screen.

Young wants to make Lincoln a technology leader.

This information will be provided to the Mayor next week.

Hoffman asked with regard to how companies are going to advertise: What will it look like?

Young said that there will be login information: email address and age.

Lee asked if the City has the right to block content. Young said that we do have some right, but any that is done would be pretty low-key.

The City will have access to the login information. We will measure the bandwidth. We want a provider that is willing to provide a 1 GB link for the controller. Max of 10 MB per user per second. Initially we will have a time limit 30 minutes or 1 or 2 hours per user.

Zygielbaum asked what we are testing, since wi-fi is already a proven technology. Are we just testing the people of Lincoln? Young said that we are testing whether Lincoln will use it.

Hoffman asked if we are still seeking entities to help out. Young said that we have had some discussions; he is open to further discussions. Wants to start it sometime about May 15th or June 1st.

Hoffman commented that he was recently in South Korea; and every place that he went there was free wi-fi. Hoffman said he understands that Young is not asking the board for anything, but commented that he thinks that the time has come.

Young said that the initial run will be 6 months; he would like to see it cover the whole duration of the Farmers Market.

Lee asked if he has any threshhold that will signify success. Young said that we will put out a survey with one question: "Do you value wi-fi in Lincoln?" Will see if we get a lot of complaints or a lot of compliments.

Hoffman: Would like to hear the results. Want to be involved in the process when you get the results and possibly weigh in on a request for additional funding.

Zygielbaum moved that we commend the efforts of the city to establish free wi-fi and encourage the experiment. Lee seconded. Motion passed 7-0.

Cell Towers

Nothing new.

Udpate on move of PEG to digital format.

No update.

Board vacancies.

Hoffman asked that those with names of potential members get the names to Diane Gonzolas.

Website update

This item was moved to next meeting, due to time as well as the desirability to have Diane Gonzolas available during the discussion.

Member Orientation

Orientation session is tentatively set for May 8th at 4 pm.

TWC report

Falk had nothing to report; he deferred to Tyler Hedrick, the new Public Access Coordinator. Hedrick distributed Local Access report; he thanked Wenz for helping with it since Wenz had done the job prior to Hedrick. Hedrick gave a brief biography of himself, he is from Waco, Texas; he worked most recently with Baylor University.

City comments

Wenz distributed the City's report. He commented that Education 10Health has never been reported in the past; he has added it to the report. Report includes sports programming, Star City News, 32 hours of live public meetings.

Public comments
Hoffman asked if there were public comments; there were none.

Adjournment
Meeting was adjourned at 5:28 p.m.

Respectfully submitted,
Jim Johnson, secretary

Mary M. Meyer

From: Council Packet
Subject: Telecomm/Cable Board agenda

Meeting Notice
City of Lincoln, Nebraska
Telecommunications/Cable Television Advisory Board
4 p.m. Thursday, July 24, 2014
Room 303, County-City Building, 555 S. 10th Street, Lincoln, NE 68508

Agenda:
Call to Order

1. Introduction of board members and guests

2. Approval of minutes from the October 24, 2013 meeting

3. New Business • Performance evaluation of Time Warner Cable

4. Old Business
• Update on cable franchise transfer request from Comcast

5. Time Warner Cable Report

6. City Report (PEG status)

7. Public Comments

Adjournment

Board members: If you cannot attend this meeting, please contact Diane Gonzolas at 402-441-7831 or dgonzolas@lincoln.ne.gov.

Regular meeting dates are the fourth Thursdays of January, April, July and October. The next meeting is scheduled for Oct. 23, 2014.

ACCOMMODATION NOTICE
The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.

Diane Gonzolas, Manager, Citizen Information Center Office of the Mayor, 555 S. 10th Street Lincoln, NE 68508 402-441-7831, cell 402-525-1520 dgonzolas@lincoln.ne.gov

CITY OF LINCOLN NEBRASKA

NEWS RELEASE

MAYOR CHRIS BEUTLER lincoln.ne.gov

LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
3140 "N" Street, Lincoln, NE 68508, 402-441-8000

FOR IMMEDIATE RELEASE: July 21, 2014
FOR MORE INFORMATION: Steve Beal, Animal Control Division Manager, 402-441-8080

RESIDENTS ENCOURAGED TO PROTECT PETS FROM HEAT

With high temperatures and humidity forecasted for the next few days, the public is reminded to stay alert to the dangers of leaving dogs and other pets in a vehicle or without proper shade and fresh water.

The Animal Control Division of the Lincoln-Lancaster County Health Department warns that temperatures in vehicles will exceed outside temperatures and reach dangerous levels in a short period of time. The best plan is to leave your pets home or someplace cool rather than taking them in a vehicle. Never leave a dog unattended in a car or without shade and fresh water on hot days.

Dogs can only cool down by panting, which is much less efficient than sweating. If you must travel with a dog during hot weather, always make sure they have access to fresh, cool water, shade (no direct sunlight) and air conditioning.

Warning signs for an overheated pet:

- excessive panting or difficulty breathing
- increased heart and respiratory rate
- seizures
- vomiting
- bloody diarrhea
- collapsing
- stupor
- body temperature over 104 degrees.

Animals with flat faces are more susceptible to heat stroke since they can't pant effectively.

For more hot weather safety tips and to watch a heat video titled "Too Hot for Spot," visit lincoln.ne.gov (keyword: animal control). The public also can call Animal Control at 402-441-7900.

-30-

<u>Corrected (Item 4.3)**</u>**

** ACTION BY PLANNING COMMISSION **
July 23, 2014

NOTICE: **The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, July 23, 2014, at 1:00 p.m., in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.**

The Lincoln City/Lancaster County Planning Commission will meet on Wednesday, July 23, 2014, from 12:00 noon - 12:45 p.m. in Room 113 of the County-City Building, 555 South 10th Street, Lincoln Nebraska, for a briefing on "South Haymarket Neighborhood Plan".

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

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

AGENDA

WEDNESDAY, JULY 23, 2014

[**<u>Commissioners Beecham and Weber absent</u>**]

Approval of minutes of the regular meeting held July 9, 2014. **<u>**APPROVED: 7-0 (Beecham and Weber absent)**</u>**

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

COMPREHENSIVE PLAN:

1.1 Comprehensive Plan Conformance No. 14014, to review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, a request to declare property as surplus, generally located at approximately North 70th Street and Cuming Street.
Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov
Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN: 7-0 (Beecham and Weber absent).
Public Hearing before the City Council tentatively scheduled for Monday, August 18, 2014, 3:00 p.m.

CHANGE OF ZONE:

1.2 Change of Zone No. 07018A, an amendment to the Glynoaks Plaza Planned Unit Development, to revise the internal layout to allow an Early Childhood Care Facility, and for approval of a development plan which proposes modifications to the Zoning Ordinance, Land Subdivision Ordinance and Design Standards, on property generally located at South 84th Street and Glynoaks Drive.
Staff recommendation: Conditional Approval, as revised on July 22, 2014.
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the staff report dated July 9, 2014, as revised by staff memo dated July 22, 2014: 7-0 (Beecham and Weber absent).
Public Hearing before City Council tentatively scheduled for Monday, August 18, 2014, 3:00 p.m.

PERMITS:

1.3 Special Permit No. 14018, for the expansion of a nonconforming use, to allow the reconstruction of an existing detached garage on property generally located at South 27th and M Street (2727 M Street).
***** FINAL ACTION *****
Staff recommendation: Conditional Approval
Staff Planner: Paul Barnes, 402-441-6372, pbarnes@lincoln.ne.gov
Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the staff report dated July 7, 2014: 7-0 (Beecham and Weber absent).
Resolution No. PC-01402.

MISCELLANEOUS:

1.4 Street and Alley Vacation No. 14004, to vacate Speedway Circle from S. 1st Street to 402.60 feet east of S. 1st Street; to vacate W. Prospector Court from S. 1st Street west 1615.59 feet; to vacate S. 1st Street from the south right-of-way line of W. Prospector Court to W. Van Dorn Street; to vacate Park Boulevard 314.84 feet north of Speedway Circle; and to vacate Hill Street from S. 1st Street to Park Boulevard, all generally located at Speedway Circle and W. Prospector Court.
Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Christy Eichorn, 402-441-7603, ceichorn@lincoln.ne.gov
Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN: 7-0 (Beecham and Weber absent).
Public Hearing before the City Council tentatively scheduled for Wednesday, August 18, 2014, 3:00 p.m.

2. REQUESTS FOR DEFERRAL: None.

3. ITEMS REMOVED FROM CONSENT AGENDA: None.

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:

COMPREHENSIVE PLAN:

4.1 Comprehensive Plan Conformance No. 14015, to review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, a proposal to declare approximately 2.27 acres, more or less, as surplus, generally located at the northeast corner of South 27th Street and Old Cheney Road.
Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Christy Eichorn, 402-441-7603, ceichorn@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN: 7-0 (Beecham and Weber absent).
Public Hearing before the City Council tentatively scheduled for Monday, August 18, 2014, 3:00 p.m.

4.2 Comprehensive Plan Conformance No. 14016, to review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, a proposal to declare approximately 25.73 acres, more or less, as surplus, generally located at the southeast corner of South 84th Street and Yankee Hill Road.

Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN: 7-0 (Beecham and Weber absent).
Public Hearing before the City Council tentatively scheduled for Monday, August 18, 2014, 3:00 p.m.

TEXT AMENDMENT:

Page 55

4.3 Text Amendment No. 14006, amending Title 27 of the Lincoln Municipal Code by amending the Retail Sales and Services Use Group Table in Section 27.06.130 to show veterinary facilities as a permitted conditional use in the O-1, O-2, O-3, and R-T zoning districts; amending Section 27.62.100 to allow kennels and/or veterinary facilities in those zoning districts where such use is designated as a permitted conditional use under a Use Group Table in Chapter 27.06; repealing Section 27.63.780, Outdoor Exercise Area Associated with a Veterinary Facility or Kennel; amending Section 27.63.790 to clarify that veterinary facilities are allowed as a permitted special use in the AG and AGR districts and that veterinary facilities and/or kennels which do not comply with the requirements for a permitted conditional use under Section 27.62.100 may be allowed by special permit under specified conditions; and repealing Sections 27.06.130, 27.62.100, and 27.63.790 of the Lincoln Municipal Code as hitherto existing.

Staff recommendation: Approval
Staff Planner: Paul Barnes, 402-441-6372, pbarnes@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: ~~A FINDING OF CONFORMANCE WITH THE COMPREHENSIVE PLAN~~ APPROVAL: 7-0 (Beecham and Weber absent).
Public Hearing before the City Council tentatively scheduled for Monday, August 18, 2014, 3:00 p.m.

CHANGE OF ZONE WITH RELATED ITEMS:

Page 71

4.4a County Change of Zone No. 14019, from AG Agricultural District to AGR Agricultural Residential District, on property generally located at S.W. 56th Street and W. Denton Road.
Staff recommendation: Approval
Staff Planner: Sara Hartzell, 402-441-6371, shartzell@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: APPROVAL: 7-0 (Beecham and Weber absent).
Scheduling of public hearing before the Lancaster County Board of Commissioners is pending.

Page 71

4.4b County Special Permit No. 14017, for authority to develop the Bronco Hills Estates Community Unit Plan for 10 lots, including a request to waive the front yard setback along the frontage of Bronco Hills Court and to waive block length on SW 61st/Bronco Hills Drive, on property generally located at S.W. 56th Street and W. Denton Road.
Staff recommendation: Conditional Approval
Staff Planner: Sara Hartzell, 402-441-6371, shartzell@lincoln.ne.gov
Had public hearing.
Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the staff report dated July 10, 2014: 7-0 (Beecham and Weber absent).
Scheduling of public hearing before the Lancaster County Board of Commissioners is pending.

PERMITS:

Page 87

4.5 County Special Permit No. 14002, for authority to develop the Northern Divide 1st Addition Community Unit Plan, consisting of five single-family acreage lots, on property generally located at Raymond Road and North 40th Street. ***** FINAL ACTION *****
Staff recommendation: Conditional Approval
Staff Planner: Sara Hartzell, 402-441-6371, shartzell@lincoln.ne.gov
Had public hearing.
Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the staff report dated July 10, 2014: 7-0 (Beecham and Weber absent).
Resolution No. PC-01403.

* * * * * * * *

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

* * * * * * * * * *

Adjournment

PENDING LIST: *None*

Planning Dept. staff contacts:

Stephen Henrichsen, *Development Review Manager* . 402-441-6374 . . . . shenrichsen@lincoln.ne.gov
David Cary, *Long Range Planning Manager* . . . . . 402-441-6364 . . . . . dcary@lincoln.ne.gov
Paul Barnes, *Planner* . . . . . 402-441-6372 . . . . . pbarnes@lincoln.ne.gov
Michael Brienzo, *Transportation Planner* . . . . . 402-441-6369 . . . . . mbrienzo@lincoln.ne.gov
Tom Cajka, *Planner* . . . . . 402-441-5662 . . . . . tcajka@lincoln.ne.gov
Christy Eichorn, *Planner* . . . . . 402-441-7603 . . . . . ceichorn@lincoln.ne.gov
Brandon Garrett, *Planner* . . . . . 402-441-6373 . . . . . bgarrett@lincoln.ne.gov
Stacey Groshong Hageman, *Planner* . . . . . 402-441-6361 . . . . . slhageman@lincoln.ne.gov
Sara Hartzell, *Planner* . . . . . 402-441-6371 . . . . . shartzell@lincoln.ne.gov
Brian Will, *Planner* . . . . . 402-441-6362 . . . . . bwill@lincoln.ne.gov
Kellee Van Bruggen, *Transportation Planner* . . . . . 402-441-6363 . . . . . kvanbruggen@lincoln.ne.gov
Ed Zimmer, *Historic Preservation Planner* . . . . . 402-441-6360 . . . . . ezimmer@lincoln.ne.gov

* * * * *

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

* * * * *

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

ACCOMMODATION NOTICE

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.

PLANNING COMMISSION FINAL ACTION

NOTIFICATION

TO : Mayor Chris Beutler
Lincoln City Council

FROM : Jean Preister, Planning

DATE : July 23, 2014

RE : Notice of final action by Planning Commission: July 23, 2014

Please be advised that on July 23, 2014, the Lincoln City-Lancaster County Planning Commission adopted the following resolution:

> **Resolution No. PC-01402,** approving Special Permit No. 14018, to expand a nonconforming use with an adjustment to the rear setback from 9 feet to zero feet and with an adjustment to the side yard setback from 5 feet to zero feet, on property generally located at 2727 M Street.

The Planning Commission action is final, unless appealed to the City Council by filing a notice of appeal with the City Clerk within 14 days of the action by the Planning Commission.

The Planning Commission Resolution may be accessed on the internet at www.lincoln.ne.gov (Keyword = PATS). Use the "Search Selection" screen and search by application number (i.e. SP14018). The Resolution and Planning Department staff report are in the "Related Documents" under the application number.

Q:\shared\wp\jlu\2014 ccnotice\072314

Jean Preister

To: Council Packet

TO: CITY COUNCIL MEMBERS:

Thank you for attending the South Haymarket Neighborhood Study briefing yesterday. The complete PowerPoint presentation is now available on the South Haymarket website found here: http://lincoln.ne.gov/city/plan/long/sohay/sohay.htm. Material will continue to be added to the website as we move forward with the public process.

Please let me know if you have questions or additional comments.

Thank you,

Paul D. Barnes, MBA, AICP
Lincoln-Lancaster County Planning Department
555 South 10th Street, Suite 213
Lincoln, NE 68508
402-441-6372

Memorandum

Date: ✦ July 22, 2014

To: ✦ City Clerk

From: ✦ Amy Hana Huffman, Planning Dept.

Re: ✦ Administrative Approvals

cc: ✦ Jean Preister

This is a list of the administrative approvals by the Planning Director from July 15, 2014, through July 21, 2014:

Administrative Amendment No. 14049 to Change of Zone No. 14008, Speedway Sporting Village Planned Unit Development, requested by Olsson Associates, approved by the Planning Director on July 16, 2014, to add language to note #11 regarding the flood elevations on this site, on property generally located at Park Boulevard and Speedway Circle.

Administrative Amendment No. 14018 to Special Permit No. 409, Wellington Greens Community Unit Plan, requested by Studio 951, approved by the Planning Director on July 16, 2014, to demolish the existing maintenance building and construct a new maintenance building, on property generally located at South Street and Old Post Road.

Administrative Amendment No. 14043 to Special Permit No. 1999A, Wilderness Hills Community Unit Plan, requested by EDC, approved by the Planning Director on July 18, 2014, to revise the lot layout along Keystone Drive south of Rockport Drive and eliminate a portion of Outlot C and all of Outlot D, and revise notes accordingly, on property generally located at Whispering Wind Boulevard and Keystone Drive.

C:\WINDOWS\Temporary Internet Files\Content.Outlook\1CH1L567\AA weekly approvals City.wpd

City/County Planning Department
555 S. 10th Street, Ste. 213 • Lincoln NE 68508
(402) 441-7491

A gentleman called in to express his opinion on the # of parks in Lincoln & how we have plenty & he drives past two parks daily & has never seen anyone using the park. Feels the city can't keep up or handle the amount of parks they already have & thinks it is crazy to add more to the city.

Mary M. Meyer

Subject: FW: InterLinc: Council Feedback

-----Original Message-----
From: WebForm [mailto:none@lincoln.ne.gov]
Sent: Monday, July 21, 2014 12:01 PM
To: Jon Camp
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for
Jon Camp

Name: Lindy Garner Mullin
Address: 3243 Sherman Place
City: Lincoln, NE 68506

Phone: 402-484-6258
Fax:
Email: lindymullin@neb.rr.com

Comment or Question:
Good morning Jon,

I just want you to know that I sincerely appreciate the time you gave to meet with us last evening. Not all Council Persons are willing to do that. Jon, my main concerns are the traffic, and thus, the SAFETY OF CHILDREN, the immediate transition from townhomes to apartments, and the lack of green space. Also, I am very disappointed in Mr. Gaspar's failure to honor a commitment made to those of us who purchased our homes believing he would build townhomes on Lot B.

It was nice to see you, Jon.

Lindy

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

Mary M. Meyer

From: James Friedman [James.Friedman@rhf.org]
Sent: Thursday, July 24, 2014 10:53 AM
To: Mayor; Council Packet
Subject: Sales Tax Increase Revision

Subject: ¼ Cent Sales Tax Increase

Dear Mr. Mayor & City Council,

The Near South Neighborhood Association (NSNA) has reviewed the Sales Tax Committee's ¼ Cent Sales Tax Increase and support the committee's distribution of the proposed sale tax increase.
This balanced package is the best and we urge your careful consideration:

- 6 years duration
- $7 million – Roads
- $2 million – Parks
- $1.5 million – Sidewalks
- $500,000 – Problem Property Fund
- All funds in excess of $11 million – Roads

Although we cannot take a position on advocating for the sales tax increase without seeing what package comes forward, we believe it is important to add our voice to the many in the community supporting the broader balanced approach.

Sincerely,

James Friedman
NSNA President

James Friedman
Manager, Malone Manor
737 N. 22nd St.
Lincoln, NE 68503
(402)476-8895 office
(402)476-8124 fax

****
The information contained in this e-mail is confidential and is for the use of the intended recipient(s). This may be a legally privileged document. If you have received this message in error, you are hereby notified that any dissemination, distribution or copying of this communication, and/or the information contained herein, is strictly prohibited. If you are not the intended recipient, please delete this message and all attachments immediately, and notify the sender by reply e-mail. Thank you
****

Mary M. Meyer

From: WebForm [none@lincoln.ne.gov]
Sent: Monday, July 21, 2014 12:08 PM
To: Council Packet
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: Charles Sadler
Address: 3910 La Salle St.
City: Lincoln, NE 68516

Phone: 402-261-9960
Fax:
Email: crsadler04@yahoo.com

Comment or Question:
Question 2nd time! Would anyone on the council be willing to look at a senior discount on the wheel tax? I would think 50% would be fair to those over 65 who drive very little on city streets.
The state has passed or is trying to pass some relief for social security income. This follows most other states which have had a like program for years.
Thank you C.R. Sadler

Mary M. Meyer

From: Jon Camp [joncamp@lincolnhaymarket.com]
Sent: Tuesday, July 22, 2014 4:33 PM
To: crsadler04@yahoo.com
Cc: Mary M. Meyer
Subject: Senior Discount on Wheel Tax

Mr. Sadler:

You emailed and proposed a "senior discount" on wheel tax. I am willing to have our Public Works Department and Mayor Beutler review this idea.

At this time in our economically-challenged position for street construction funds, I suspect your idea will encounter some resistance. None-the-less, it is worthy of consideration

Best regards,

Jon

JON A. CAMP
Haymarket Square/CH, Ltd.
200 Haymarket Square
808 P Street
P.O. Box 82307
Lincoln, NE 68501-2307

Office: 402.474.1838/402.474.1812
Fax: 402.474.1838
Cell: 402.560.1001

Email: joncamp@lincolnhaymarket.com
Website: www.lincolnhaymarket.com

Check our reception and event venues at:

http://www.facebook.com/pages/Apothecary-Lofts-Ridnour-Rooms/173175799380032

Mary M. Meyer

From: Mary Eisenhart [mmeisen@eisenhartconsulting.com]
Sent: Monday, July 21, 2014 7:20 PM
To: Council Packet
Cc: Dougemerypm@aol.com; 'Pat Anderson'; "ECCO Board"
Subject: ECCO Board - Support of Proposed Neglected Buildings Ordinance

Dear Lincoln City Council Members,

I am writing on behalf of the ECCO Neighborhood Board in support of the proposed Neglected/Vacant Residential Buildings Ordinance. The members of our Board have voted to support this ordinance, and welcome the move to strengthen the tools available to deal with those properties which have a negative blighting impact on surrounding owners' properties. This ordinance will provide the Problem Resolution Team better tools for reaching outcomes that truly resolve the very real problem neglected, vacant properties cause in our neighborhood and others. The realization that a change in ownership or demolition is often needed in the case of the worst properties, makes it necessary to be certain these outcomes can be realized sooner rather than later, when there is no cooperation from current owners for whatever reason, in improving these properties.

We do not plan to testify in person, as we realize there are many time constraints with your usual busy schedule☺! However, we wanted to be certain to write so that our support would be noted as the City Council considers this ordinance. We hope it will provide the help we all need to ensure a high quality of property maintenance in Lincoln, for the good of all neighborhoods and the City of Lincoln.

Many thanks for all of the work you all do on our behalf.

Mary Eisenhart,

Mary M. Eisenhart
President, ECCO Board
1420 North 37th Street
Lincoln, NE 68503
503.866.5704
mmeisen@eisenhartconsulting.com

Woods Park Neighborhood Association
705 South 32nd Street
Lincoln, NE 68510

RECEIVED
JUL 22 REC'D
CITY COUNCIL
OFFICE

20 July 2014

Councilman Doug Emery
555 South 10th Street
Lincoln, NE - 68508

Dear Councilman Emery,

Woods Park Neighborhood Association supports the proposed ordinance on vacant and neglected residential properties that will soon come before the city council. We believe this well-crafted ordinance would be a good solution for dealing with the many neglected residential properties that have a profound negative effect on the value of the neighboring properties and on the quality of life of the neighborhood.

Woods Park is home to several such properties. The most glaring example is at 3015 N Street. This vacant home has been red-tagged repeatedly over a 30-year period. Each time minimal repairs have been made to bring it into conformance, yet within a few years it deteriorates again. It has been broken into several times. The owner, who does not reside in Lincoln, has been approached several times with offers to purchase the property, but has refused.

The proposed ordinance would give the city a powerful yet measured tool to deal with properties such as 3015 N Street. The registration fees incorporated in the ordinance provide a financial incentive for the owner of a vacant and neglected residence to upgrade the building to meet community standards or to sell the property. Failure to pay the registration fee over time would allow the city to place a lien on the property and ultimately to foreclose on the property and force a sale that would place it into the hands of a new owner who can either repair it or demolish it and rebuild.

The proposed vacant/neglected buildings ordinance has been developed carefully over several years with extensive consultation with neighborhood groups, landlords, realtors, and other stakeholders. Its goal is not to punish recalcitrant owners, but to return neglected properties to a useful role in the community and to remove their negative effects on their surrounding neighborhood. Woods Park Neighborhood Association urges the Lincoln City Council to adopt this ordinance. We believe this ordinance would be a fair and useful solution to a long term problem in our older neighborhoods.

Sincerely,

Randall B. Smith

Randall B. Smith
President, Woods Park Neighborhood Association

Mary M. Meyer

From: Anne Cognard [acognard@windstream.net]
Sent: Tuesday, July 22, 2014 12:46 PM
To: Mary M. Meyer
Subject: please forward to City Council Members

Dear Members of the City Council,

I add my name to over three hundred signators and innumerable letters-to-the-editor writers, all of whom stand firmly against the apartment complex envisioned by Chateau Development at Sherman and Holmes Park Road.

As you know, the City Planning Commission voted six to two to forward their recommendation for Chateau Development's request. Importantly, the two nay votes were also the only two members of the Commission to visit the site.

The arguments are incontrovertible, starting with the fact that Chateau Development promised those living across the street that only townhouses would be built on this site. Indeed, the site was zoned for townhouses.
Now Chateau Development management has changed its mind and, please note this, already has placed assessment stakes and green flags in anticipation of your "yes" vote.

Not only will a "yes" vote from you undermine a promise made to residents for some twenty years that only townhomes would be built on the property, but it will devalue the single-dwelling homes that abut the intended apartment site. The strain on local public schools; the increased water drainage to Holmes Lake; the leapfrogging of the current gradual transition from apartments, to townhomes, to single-family homes between the arterial of 70th Street and Sherman; the increased traffic in a family-residential area--these negatives are but the tip of the proverbial iceberg as reasons to vote "no" to this request.

I have nothing personally to gain from opposing Chateau since I live blocks away from the site in question; however, as a Lincolnite who supports reasonable treatment of my fellow citizens, I appeal to you to stop this steamroller before it's too late. I understand you are to decide on July 28th.

Thank you for listening to me.

Anne M. Cognard

Mary M. Meyer

From: James Klein [jklein9@neb.rr.com]
Sent: Monday, July 21, 2014 3:01 PM
To: Doug Emery; joncamp@lincolnhaymarket.com; Roy A. Christensen; Jonathan A. Cook; Carl B. Eskridge; Trenton J. Fellers; Leirion Gaylor Baird; Mary M. Meyer; Jon Camp
Cc: jklein9@neb.rr.com
Subject: Request to Reject Res. No. PC-01400: Special Permit No. 1665C
Attachments: REQUEST TO REJECT SPECIAL PERMIT NO.docx

Dear Sirs and Madams:
Because of a medical condition, I can't attend the public hearing on the proposal to put an apartment building in between owner-occupied homes scheduled for 5:30 pm on 7/28/14 (Resolution No. PC-01400: Special Permit No. 1665C-Van Dorn Meadows CUP). But if I were there I would urge rejection on the grounds that the proposal violates no less than six design principles in the Comprehensive Plan (CP) and compliance with the CP is mandatory. See Lincoln Municipal Code (LMC) 27.63.010. Before detailing these in the attachment above, I will say that the Planning Commission ignored these principles choosing instead to use the narrowest possible approach for approval which was to judge the scale of the building in relation to the size of the lot being developed and to require mitigation of its appearance by requiring screening. This is painfully shortsighted as the CP goes much deeper than that in setting forth what must be present to assure successful development over the long term for the city and its residents. This deeper thinking is found in the "guiding principles" of the CP (see 7.2) and no less than six of them are violated by this apartment building proposal. I respectfully ask that you consider my short 2.5 page attachment in your deliberations. I will be most appreciative. Thank you.

Best regards,
James C. Klein
3511 S. 75th St.
Fox Hollow Resident
Lincoln, NE 68506
(402) 488-2410

REQUEST TO REJECT SPECIAL PERMIT NO. 1665C-Van Dorn Meadows CUP

NO CUP DESIGN SUPPORTS THE LOCATION OF THIS PROPOSED APARTMENT BUILDING. [CP 7.5]

The simple but wise rationale underlying the concept of a Community Unit Plan (CUP) is that incompatible uses can be put together with living spaces if there is a design that makes them work. LMC 27.65.010, et al. The design concept used is "transitioning" or "layering" where the most incompatible use with single family homes is sited farthest away from them and lesser incompatible uses are "transitioned" or "layered" in the space between. The CUP of Van Dorn Meadows is a sterling example of this concept at work where the commercial buildings are sited along 70th street farthest away from Fox Hollow and apartments have been located between those commercial businesses and owner occupied homes. But as the sample CUP in the CP shows (see CP 7.6,7.7), no apartments are put between owner-occupied homes. That is because apartments, no matter how carefully screened from view they may be, are themselves businesses with the "customers" of the apartment owner coming and going according to the length of their lease terms and making no private investment of their own in the space they occupy. In short, businesses, even those that rent out living space as their "product", do not go in between homes that receive the private investment and reinvestment of their owner-occupiers if a city wants to keep that private investment going for 20, 30, and even 50 years into the future.

THERE IS NO PROMOTION OF PRIVATE OWNERSHIP. [CP 7.2, 7.8]

We know from the notorious history of "slip-in" apartments in the older Lincoln neighborhoods of Near South, Antelope Park, and Malone, that putting apartments too close to owner-occupied homes drives out the homeowners. They see the futility of investing and reinvesting in their space when their neighbors are not and leave. Lincoln's Planning Department has described this adverse process thusly: "The Planning Department has used the terms 'tipping point' and 'carrying capacity' in recent discussions involving downzoning, although these terms are not explicitly defined. These terms are used to identify the concept of a point at which a neighborhood will have a certain mix of single-, two-, and even multiple-family dwellings that works well for the existing infrastructure and **for encouraging reinvestment**. The occurrence of this point will depend on factors such as water and sewer capacities, traffic capacities, and availability of off-street parking, **as well as character and compatibility with the surrounding neighborhood**…Each neighborhood not only has its own tipping point, but that point may change as the contributing factors change." See FACTSHEET for Near South Neighborhood downzoning (3/22/05 prepared)(3/28/05 City Council Introduction), Bill No. 05-37, at p8 (Emphasis added).

This proposed apartment building is a modern version of a "slip-in" inasmuch as it is bordered on three sides by owner-occupied housing and abuts a street on the remaining side. This new version of a "slip-in" will discourage reinvestment as much as the older version did in the 1970's because non-owner occupiers are being put too close together with owner-occupiers. The non-owners will come and go as their lease term expires, their cars will set out in the apartment parking lot, their visitors will park in the neighborhood streets, and overall there will be more noise and congestion as they live more closely together. This is not to discredit apartment dwellers. But the simple fact is that they live differently

than owner-occupiers. Lincoln's neighborhood history, including the current drive for "deconversion" (converting apartments to owner-occupied residences) as a way of revitalizing older neighborhoods is proof positive that owner-occupiers will not continue to invest in a neighborhood where their neighbors do not.

PREDICTABILITY OF LAND USE WILL BE LOST. [CP 7.2]

The CP states that Lincoln has over 350 vacant lots in the built out area of Lincoln. If you allow this apartment building to go into the vacant lot between private homes that have been there for over 20 years, you will be signaling that it is "game on" for using apartment buildings as infill projects in residential neighborhoods. That is a drastic change when considering that Lincoln views its neighborhoods as one of its "great strengths". See CP 1.2. In the previous CP, the importance of owner-occupied housing to those neighborhoods was described directly as "one of its most valuable community assets", and represented future value. "Preservation of these homes for use by future generations will protect residential neighborhoods and allow for many households to attain the dream of home ownership." See FACTSHEET,supra, at p4. For these reasons, the current CP allows only for "modest opportunities" for infill in existing neighborhoods. See CP 7.8. If you change the expectation of what can go into a vacant lot in a residential neighborhood by classifying apartment buildings as "modest" infill, you will be destabilizing this neighborhood and others like it rather than preserving them for future generations by protecting the predictability of their future growth.

THERE IS NO VARIETY OF USE. [CP 7.2]

The CP calls for variety of use within a CUP. The predominate housing use in this CUP is apartments. Counting all the Chateau Development apartment units and the Holmes Lake Apartment units, there are over 400 units in the CUP right now. Adding more units adds no diversity. What is needed is more owner-occupied dwellings which is what the CUP is zoned for now.

THERE IS NO ARCHITECTUAL COMPATIBILITY. [CP 7.1, 7.8]

The CP calls for architectural compatibility with existing neighborhood housing styles. See CP at 7.1,7.2. Before the Planning Commission public hearing, this developer stated that he would use one of his existing apartment styles. Those building styles do not look like the townhouses or single family homes that will be next door. See his webpage at www.chateaudev.com

THE PROPOSAL IS NOT SAFE FOR THE CHILDREN AT THE PROPOSED APARTMENTS. [CP 7.2]

The apartment building will draw young families with children onto the lot. This lot is across the street from open land that provides access to Holmes Lake Park via the 70th street underpass. Traffic next to the lot will increase not only because of cars traveling into and out of the apartment building using Holmes Lake Road but also from plans to relocate access to the dog run off of that road. The plan is to put in a "trailhead" and new parking lot in that open land with an apron off of Holmes Lake Road. (Contact Jerry Shorney or Shawn Quinn at Lincoln Parks and Recreation for confirmation.) Not only will the apartment and dog run access put more traffic onto this part of Holmes Lake Road but apartment

tenants and/or their visitors will be parking their cars there. Any responsible planner has to know that children will be crossing Holmes Lake Road from the apartment building at any given time of the day to go to the dog run/park. Their path inevitably will run figuratively and literally between the parked cars and into the increased road traffic. This is a set of circumstances that conspires to create an accident risk and that risk simply is not worth the taking.

CONCLUSION

While you apply the CP to this special permit request in your discretion, the proposal, nonetheless, must achieve CP compliance. That is a requirement of the LMC at section 27.63.010. The Planning Commission did not deal with all of the applicable CP provisions choosing instead to use only the most concrete and technical. When all the applicable provisions are applied, the foregoing instances of noncompliance arise. Therefore, you must vote to reject the permit, and I urge you to do so.

Respectfully submitted,

/s/James C. Klein

James C. Klein
3511 S. 75th St.
Resident, Fox Hollow Development
Lincoln, NE 68506

July 21, 2014

Mary M. Meyer

From: russtrains@windstream.net
Sent: Wednesday, July 23, 2014 9:54 AM
To: Council Packet
Subject: Neglected building ordinance

Dear City Council Members
The Clinton Neighborhood Organization voted to support the neglected building ordinance that you will be acting upon. We hope you will also vote in favor of this needed ordinance.
THANK YOU!
--
Russell Irwin
C N O Vice President.
402.464.7955

Mary M. Meyer

From: little-red-hen@juno.com
Sent: Wednesday, July 23, 2014 11:47 AM
To: Council Packet
Subject: Neglected Property Ordinance

7-23-14

To: All City Council Members

I want to add my voice to the support for the Neglected Property Ordinance. I, personally, witnessed the devastating effect of having a neglected property next door. The property values plummet!!! It **must** be dealt with.

Delores Lintel

Mary M. Meyer

From: WebForm [none@lincoln.ne.gov]
Sent: Thursday, July 24, 2014 8:16 AM
To: Council Packet
Subject: InterLinc: Council Feedback

InterLinc: City Council Feedback for
General Council

Name: Henry and Jenne Rodriguez
Address: 3431 Fox Hollow Circle
City: Lincoln, NE 68506

Phone: 402-489-3537
Fax:
Email: hjzrodriguez@gmail.com

Comment or Question:
Please vote no for Resolution 14R-193, Special Permit 1665C to amend the Chateau Development, LLC Community Unit Plan for Van Dorn Meadows, First Addition.

The existing plan allows for nine single family residences on Outlot B. Chateau proposes to build a two-level 20 unit apartment building and duplexes that will have 10 or 20 units. The total number of units remains unclear.

This increase of units is beyond the scope of the approved plan on which we relied when building, buying and making improvements to our homes?the biggest investment of our lives! Chateau has built 448 units within the 52 acre CUP which contains a retention pond and easements for power lines.

We are not opposed to development in this area. We are opposed because this is not APPROPRIATE development for a single-family neighborhood. The two planning commissioners who physically visited the site opposed this development on the basis of its inappropriateness?apartments in an established single family neighborhood. The plan triples the DENSITY for this area and threatens SAFETY with an estimated 60 or more vehicles exiting onto Holmes Park Road from a blind corner.

Our objection to the developer?s plan is about 1) appropriateness, 2) density, 3) safety, 4) the integrity of the planning process, and 5) Chateau?s unwillingness to go forth with the plans to develop this area with exclusive townhomes--promises made to existing residents of Sherman Estates.

We ask the City Council to join the over 320 petitioners in rejecting this proposal. Approving this type of development in an established neighborhood will set a precedent that allows developers to ?change their minds? and develop whatever and wherever they want.

Henry and Jenne Rodriguez
3431 Fox Hollow Circle
Lincoln, NE 68506
402-489-3537

Mary M. Meyer

From: Jon Camp
Subject: Rezoning Outlot B, Sherman St & Holmes Park Rd

Dear Council Members,

This is in regard to the rezoning proposal for Outlot B located at the intersection of Sherman St and Holmes Park Road to allow apartment building(s) to be constructed. My wife and I are strongly opposed to this change for the following reasons:

1. We fully understand the zoning changes are often necessary for various reasons. However, in this instance the only reason that we can see for this request is to satisfy the builder's wish to make more money. Of course we are not aware of all the factors the council must take into consideration, but it seems unfair if not disingenuous to rezone this property for the reasons brought forth by the developer. People in the area purchased their homes because it was zoned for single family residences. My wife and I have often considered relocating to a town home at that location in our retirement years. If the area is rezoned as proposed, we will not consider that location as an option.

2. Outlets from Fox Hollow are somewhat congested, when traveling westward we use either the intersection at 70th and Holmes Park Rd or 74th and Van Dorn. Going west (turning left) on Van Dorn is difficult during busy times of the day. It's difficult because the hill to the east blocks the view of traffic coming from the east. I've been honked at more than a few times because some people can't seem to get their foot off the gas pedal when they see traffic in front of them. Consequently, when possible we try to use the 70th and Holmes Park Rd. intersection where there is a stop light. This is also the intersection the proposed apartment dwellers will likely use, adding to the congestion at that intersection.

3. The plans that we have seen show the outlet from Outlot B to be on the south side entering Holmes Park Road. The outlet is located just west of a significant curve in the street which will make it very difficult (and dangerous) to enter the street because the view of traffic from the east will not be visible soon enough to make a safe entry.

4. Apartment buildings are being constructed all over Lincoln, is the need for more apartment buildings so great that it is necessary to disrupt an established neighborhood?

5. Will the city collect more revenue from an apartment building than single family residences in this area? If that is the case, I sincerely hope that will not be the basis for your decision. There are things more important, such as, credibility, honesty and fairness.

If the Council does choose to approve this request, then the question begging an answer is, what is the purpose of a zoning ordinance in the first place if it can be changed to satisfy the whims of a developer with little or no regard for the conditions established in the original document?

The proposal does not fit the area for numerous reasons. We urge your careful consideration and thank you for your dedication to serve our community.

Respectfully submitted as opposed,

Larry L. and Sue Williams
7534 Sherman St
Lincoln, NE 68506
402-486-0194

DIRECTORS' AGENDA
ADDENDUM
MONDAY, JULY 28, 2014

I. CITY CLERK

II. MAYOR & DIRECTORS' CORRESPONDENCE

MAYOR

1. NEWS RELEASE. Compromise will add two police officers.
2. NEWS ADVISORY. Mayor Beutler's public schedule for the week of July 26, 2014 through August 1, 2014.
3. Administrative Regulation #19 passed by Executive Order 87334 on July 22, 2014. Subject: Worker's Compensation Policy.
4. NEWS RELEASE. Parks and Rec to host "FUNdemental HEALTHY ME" summer camp play days.

III. DIRECTORS

CABLE TELEVISION/TELECOMMUNICATIONS ADVISORY BOARD

1. Telecommunications/Cable Television Advisory Board meeting agenda for August 4, 2014.

PLANNING DEPARTMENT

1. Letter from Planning Department advising Special Permit No. 1665C - Van Dorn Meadows CUP public hearing has been delayed until Monday, August 4, 2014.

IV. COUNCIL MEMBERS

JON CAMP

1. Thomas Shores writing in opposition to proposed amendment, Special Permit No. 1665C to the Van Dorn Meadows Community Unit Plan, listing reasons.
2. Janelle Ekeler requesting a no vote on allowing an apartment building at the corner of Holmes Park Drive and Sherman Drive.
3. Carri Honz thanking Councilman Camp on attending the Fox Hollow Neighborhood meeting on the appeal to Chateau Development's request for a zoning amendment.
4. Sara Bennett. Deny the request of Chateau Development to build a 20 unit apartment building and duplexes on Outlot B.
5. Jennifer Jones. Very opposed to the proposed Chateau Development plans for an apartment building.
   a) Reply from Councilman Camp stating the public hearing has been delayed one week.
6. Henry and Jenne Rodriguez. Thank you for meeting and pleased to hear the proposed project will be amended.
   a) Reply with short explanation of developer meeting, and specifically thanking them, and their neighbors, who evaluated and presented history of the development.
7. John and Jill Berry. Thank you for voting against the Chateau apartment development on Outlot B in the Fox Hollow neighborhood.
   a) Reply to email and explaining the developer has requested a one week delay for Planning to review the changes.

8. Karen Lindsay. Thank you to Councilman Camp in efforts of support for the residents of Van Dorn Meadows and Fox Hollow neighborhoods in opposition to proposed apartments.
9. Jon Stanton reporting on potholes and suggesting the City promote the site, Click Fix, making it more visible.
   a) Reply from Miki Esposito, Director of Public Works & Utilities, with explanation of the City's web link and phone app for reporting issues to the City.
10. Sharron Potthoff writing with her concerns about the inappropriate placement of apartments in Fox Hollow.
   a) Reply from Councilman Camp with explanation of meetings and now the developer has amended his proposal to construct only townhomes.

V. CORRESPONDENCE FROM CITIZENS

1. Larry and Sally Sitzman pointing out the advantages to families when there is no daily, or yearly, fee to utilize the Pioneer Park Nature Center.
2. Clement O'Flaherty writing in response to proposed ordinance for paving district of NW 10th Street from W. Dawes Street to W. Belmont Street. Mr. O'Flaherty points out there is only two houses on the north side of West Dawes, and paving would not be a benefit to this short street.
3. Donald and Carole Burt thanking Council for their diligence and openness in dealing with concerns over the Chateau Development proposal.
4. Rebecca meyer thanking Council for their time and understanding of the impact and details the zoning change of Fox Hollow involved.
5. Lynn Fisher suggesting the Pershing mural be kept as a free standing art wall or to incorporate the mural into a new development.
6. Susan Brooks thanking Council for the attending to see the Outlot B area.
   a) Councilman Camp replying to Ms. Brooks explaining the developer modified the proposal to contain only townhomes, and asked for a week delay for Planning to review.
   b) Councilman Emery's reply to Ms. Brooks explaining the developer agreed to a serious second look and awaiting to see the changes.
7. Carri Honz thanking Council for working with the neighborhood on SP1665C and waiting to see the resulting changes.
8. Barbara A. Bettin, Lincoln YMCA Administrative Office, thanking Council for the final approval of Jensen Park.
9. Jane Grabenstein-Chandler and Don Chandler thanking Council for listening to the concerns of the neighborhood on Outlot B. Waiting for his appropriate proposal.
10. Sara J. Larkins stating a negative impact to the area's schools if the apartment proposal is approved.
11. John Strain writing in opposition to the apartment complex proposal on Outlot B.

F:\FILES\CITYCOUN\Addendums 2014\July 2014\Addendum 07.28.14.wpd

CITY OF LINCOLN NEBRASKA

NEWS RELEASE

MAYOR CHRIS BEUTLER lincoln.ne.gov

OFFICE OF THE MAYOR
555 South 10th Street, Lincoln, NE 68508, 402-441-7511

FOR IMMEDIATE RELEASE: July 24, 2014
FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 402-525-1520
Steve Hubka, Finance Director/Budget Officer, 402-540-1100

COMPROMISE WILL ADD TWO POLICE OFFICERS

The Beutler Administration and the Lincoln City Council today announced they have reached a compromise on the City's 2014-16 budget that will add two police officers over the biennium and maintain funding for new positions in the Parks and Recreation Department. The Lincoln Police Department (LPD) will add one officer in 2014-15 and a second one in 2015-16 using savings from LPD's current and past budgets.

The additional officers are a result of a compromise negotiated by Roy Christensen, who advocated that new officers be added to the budget, and his fellow Council members Leirion Gaylor Baird and Carl Eskridge. The entire Council has endorsed the compromise, and members are expected to approve the officers Monday, July 28 when they vote on initial budget changes. That meeting begins at 3 p.m. in the City Council Chambers.

Mayor Chris Beutler praised the compromise. "When people have different ideas about what to fund in the City budget, the discussion can go two ways," Beutler said in a statement. "It can be a divisive exercise that pits segments of the community against each other. Or elected officials can be true leaders, listen to each other and work it out. A major reason this community is succeeding in so many areas is that we prefer the latter approach. I want to thank the members of the City Council for working with the Administration to find a compromise that is in the best interests of our City."

Public Safety Director Tom Casady said LPD has accumulated enough re-appropriated funds to cover the estimated $170,000 cost of the additional officers for two years.

"By carefully managing our dollars, the Department often comes in under budget," Casady said. "For many years the department has used these 'left-over' funds to pay for capital equipment needs, to fund a new firing range and associated facilities and to cover retirement payouts. We've been able to do that without asking Mayors, City Councils or the taxpayers to allocate additional dollars to the Police budget for these needs." Casady said the positions would have to be funded through the General Fund in the 2016-18 budget and beyond.

LPD has applied for a federal grant to add two police officers to devote more resources to fighting gang-related crimes. The grant from the Office of Community-Oriented Policing Services (COPS) would pay 75 percent of the salary cost up to $125,000 per officer over the three-year period. If the grant is approved and the compromise adopted, LPD would be able to add four new officers over the next two years.

- more -

The public hearing on the budget is scheduled from 2:30 to 6 p.m. and 6:30 to 10:30 p.m. Monday, August 11. The Council votes on final changes to the budget August 13 and adopts the budget August 25. The new fiscal year begins September 1. The budget is available at lincoln.ne.gov (keyword: proposed budget).

- 30 -

CITY OF LINCOLN NEBRASKA

NEWS ADVISORY

MAYOR CHRIS BEUTLER lincoln.ne.gov

Date: July 25, 2014
Contact: Diane Gonzolas, Citizen Information Center, 402-441-7831

Mayor Beutler's Public Schedule
Week of July 26 through August 1, 2014
Schedule subject to change

Tuesday, July 29

- Corrections Joint Public Agency meeting - 9 a.m., Bill Luxford Studio, County-City Building, 555 S. 10th St.
- Ribbon-cutting for 50/50 Building (student housing and parking), remarks - 10 a.m., 1801 "R" St., 8th floor community room
- Southwest Nebraska Leadership Institute retreat, remarks - 11 a.m., Mayor's Conference Room, County-City Building

PURPOSE:
INFORMATION REGARDING WORK-RELATED INJURIES FOR ALL CITY OF LINCOLN EMPLOYEES:
To insure fair, equitable and consistent treatment of all injured city employees, the Risk Management Division complies with the Nebraska Workers' Compensation Act, Union Bargaining Agreements, City Personnel Policies, Nebraska Workers' Compensation Court Rules, City Ordinances and other applicable policies.

Questions may arise when a city employee has a work related injury. The following information serves as a guideline for answering questions.

POLICY:
1. WORKERS' COMPENSATION BENEFITS – DEFINED
Workers' Compensation is designed to provide benefits to eligible employees who sustain an on the job injury by accident, or occupational disease arising out of and in the course of their employment, and who are not willfully negligent at the time of the injury. Workers' Compensation benefits are required by Nebraska Law and the City of Lincoln is self insured for this required benefit.

2. YOUR REPORTING REQUIREMENTS
An employee shall notify his/her supervisor immediately of any work-related injury or occupational disease by submitting the state Report of Alleged On The Job Injury or Illness form, a City of Lincoln Employee Injury or Illness Report form, and an Employee's Choice Or Change of Physician form, to Risk Management.

Your notice may be sent by any of these approved methods:

1) Fill in the PDF claims file at http://lincoln.ne.gov/city/person/risk/forms/compclaimforms.pdf and hit submit, or scan and email to risk@lincoln.ne.gov
2) Complete your report and mail to Risk Management at 555 S. 10th Street, Suite 302, Lincoln, NE 68508; or
3) Complete and send by interoffice mail, or by fax to Risk Management at (402) 441-6800.

For employees who are off work, medical information must be provided to Risk Management stating why the employee is unable to perform normal work duties. After each doctor's visit, a note from the doctor is required indicating if it is medically necessary for the employee to remain off work. While the employee is under physical therapy, chiropractic or other medical care, a note is needed after every appointment from the medical provider indicating if the employee is to remain off work.

3. RECEIVING WORKERS' COMPENSATION BENEFITS
The Nebraska Workers' Compensation Act applies to every public and private employer in the state of Nebraska employing one or more employees in a regular trade, business, profession, or vocation. Thus, most employees are covered by the Workers' Compensation Act, with only a few exceptions. Please note, that unpaid volunteers, independent contractors or appointed members of any Board or Commission are not eligible for Workers' Compensation benefits.

4. INJURY LEAVE BENEFITS
Injury leave is a benefit provided by the City of Lincoln to eligible employees who are off work for a compensable injury. Employees are eligible to receive their full salary, for up to a maximum of six consecutive calendar months from the date of injury. Police and Fire union employees will receive a maximum of up to either six or twelve consecutive calendar months of benefits from the date of injury, depending upon the pension plan chosen. Under 'Plan A', employees will be eligible for

up to six months of injury leave benefits. Under other police and fire pension plans, they are eligible for up to twelve months of injury leave benefits.

The Risk Management Division will investigate claims to determine compensability. During this investigation, employees may elect to use other leave options such as sick, vacation or FMLA leave. If the claim is later approved by the Risk Management Division, the department will be notified to convert the selected leave to injury leave hours.

Injury leave benefits, per LMC 2.76.390, are affected and reduced by having a Second Injury in a contract year. For employees subject to the LCEA, M Class, IAFF, LPU, and PAGE bargaining agreements and having a second injury during one contract year, the period of eligibility shall be deemed to commence on the seventh (7) day from the date when the employee incurred such injury. Before an employee may receive injury leave benefits for a second injury, an investigation of the new claim must be completed, and the injury determined to be compensable. However, if there was no lost time with the first injury, and the second injury is approved, then injury leave is effective immediately.

5. PAYMENT OF WORKERS' COMPENSATION BENEFITS

Two thirds (2/3) of injury leave benefits are considered to be the state temporary total disability (TTD) payment, up to a maximum weekly amount allowed by state law. TTD benefits are not taxable. Anyone with a work related injury who has missed time from work for such injury, will be coded by the department as being on "injury leave". The Risk Management Division will determine how much of this amount is considered Workers' Compensation benefits. A separate check for Workers' Compensation payments will be given to the injured employee along with a paycheck for the remaining portion. All injury leave payments will be deemed to be payment of all imposed benefits pursuant to the Workers' Compensation Act of the State of Nebraska.

The Mayor, City Council Members and other city officials who are elected or appointed to public office are not eligible to receive injury leave benefits but are eligible to receive Workers' Compensation benefits. Injury leave benefits also do not apply to seasonal workers or to ATU employees. Per union bargaining agreement, ATU employees will receive Workers' Compensation benefits as set forth by the Nebraska Workers' Compensation Act.

6. WORKERS' COMPENSATION BENEFITS AFTER INJURY LEAVE EXPIRES

For employees who are unrepresented or subject to the LCEA, M Class and PAGE union bargaining agreements, injury leave expires six calendar months after the injury date. The employee is then eligible to receive Workers' Compensation benefits, if applicable. These include temporary total disability benefits (TTD) or temporary partial disability benefits (TPD). If an employee chooses to do so, they may supplement these benefits with vacation or sick leave, so that it equals the employee's regular salary for the pay period, except as otherwise set forth herein, in applicable union contracts, or ordinances.

IAFF and LPU Union employees in the 'Plan A' pension are eligible for up to a maximum of six months of injury leave. Police IAFF and LPU employees in all other pension plans are eligible for up to a maximum of twelve months of injury leave but are not allowed to use sick leave to supplement their salary. However, both may use vacation leave to supplement the amount of TTD or TPD benefits to equal their regular salary.

Employees subject to bargaining agreements should refer to their current contract to determine the maximum duration of injury leave and/or temporary modified work.

7. MODIFIED DUTY WORK

Until an injured employee is permitted by either the City's or employee's treating physician to return to full duty work, each department as an interim step, will attempt to provide all status and probationary employees with modified duty work. An employee will need medical documentation to show that they are unable to perform their full job duties but are able to work modified duty. To qualify for a modified duty assignment, either the City's or employee's treating physician should be contacted and authorize the modified duty work.

The maximum amount of recovery time (injury leave and modified duty work) shall not exceed 12 calendar months from the date of injury. If an employee has not yet returned to full duty work within 12 months from the date of injury, either the City's or employee's treating physician will be contacted to determine if the employee can perform the essential functions of their job description. If either the City's or employee's treating physician states that the employee cannot perform the

essential functions of their job description, the employee will be notified that their employment is in danger of termination unless they are able to return to full duty work within a reasonable, limited time period, or they apply for and are accepted for another open position within the City of Lincoln, that meets their physical restrictions.

8. WHEN NO MODIFIED DUTY WORK IS AVAILABLE

If the employee is restricted from working full duty, and the department does not have modified duty work available, the employee will be eligible to remain on injury leave benefits in accordance with applicable bargaining agreements for the six or twelve month period, with temporary total disability benefits provided thereafter. When released without restrictions, the employee will resume their full job duties.

9. PRIORITY GIVEN TO "ON DUTY" INJURIES

Circumstances may sometimes arise where two or more people from the same department/division are disabled at the same time involving both on-the-job and off-the-job injuries. The department/division should try to provide all status and probationary employees with the opportunity to work modified duty. However, if there are not enough positions available, the employee with an on-the-job injury shall be given priority over an employee with an off-the-job injury.

10. HOW INJURY LEAVE AFFECTS OTHER EMPLOYEE BENEFITS

Employees subject to bargaining agreements should refer to their current contract to determine the affect on other employee benefits. Unrepresented employees should refer to LMC 2.76.390. No taxes or contributions will be withheld from the Workers' Compensation portion of injury leave.

11. PAYMENTS YOU ARE RESPONSIBLE FOR

An employee who is receiving temporary total disability (TTD) benefits and has been approved by their department for leave without pay, may also receive various benefits of health insurance, etc. It will be necessary for the employee to pay the appropriate share of their elective deductions to the City Payroll Supervisor in the Finance Department.

12. HOLIDAY PAY

If a holiday occurs during the time period injury leave is being paid, holiday hours are paid in lieu of injury leave hours.

If Workers' Compensation benefits are being paid, and the employee has chosen to supplement for 1/3 of their normal salary, the employee must be in an approved pay status for 1/3 of their normally scheduled day before, and 1/3 of their normally scheduled day after the holiday to be eligible for holiday pay. If all conditions are met, the employee will receive 1/3 of their scheduled day in holiday pay . If all conditions are not met, or if the employee is not supplementing their normal salary, no holiday pay will be due the employee.

13. OVERTIME PAY

Employees are not eligible for overtime pay while receiving Workers' Compensation or injury leave benefits.

14. FAMILY MEDICAL LEAVE ACT (FMLA) BENEFITS

An employee who is receiving injury leave benefits is considered to be in a paid leave status and therefore these benefits will not count toward their FMLA entitlement of 480 hours. For additional information, please refer to Personnel Policy Bulletin 2009-1, Family and Medical Leave Act of 1993 (FMLA) and 29 CFR part 825.

The foregoing administrative regulation, superseding Administrative Regulation No. 19 effective February 18, 2014, is hereby APPROVED.

Chris Beutler, Mayor

Date: 7-22-14

CITY OF LINCOLN NEBRASKA

NEWS RELEASE

MAYOR CHRIS BEUTLER lincoln.ne.gov

PARKS AND RECREATION DEPARTMENT
2740 "A" Street, Lincoln, NE 68502, 441-402-7847

FOR IMMEDIATE RELEASE: July 28, 2014
FOR MORE INFORMATION: Melissa Lindeman, Parks and Recreation, 402-441-4900

PARKS AND REC TO HOST "FUNdamental HEALTHY ME" SUMMER CAMP PLAY DAYS

Over 400 "FUNdamental Healthy Me" summer day campers will participate in the third annual Lincoln Parks and Recreation Play Days at **Woods Park, 33rd and "J" streets.** The kindergarten through fourth-grade Play Day is **Wednesday, July 30,** and the mid-level Play Day is **Wednesday, August 6.** Both events begin with swimming activities at **10:30 a.m.**

The goal of Play Day is to bring together campers for a day of friendly competition and camp spirit.

Campers from Air Park, Belmont, Bethany, Calvert, Goodrich, "F" Street, Everett and Irving recreation centers will participate. Play Day will provide campers the opportunity to participate in a tennis tournament as well as compete in box hockey and Mancala tourneys. The day will conclude with a water balloon toss and awards ceremony.

Lincoln has been recognized as the first "Playful City" in Nebraska by Playful City USA, which is sponsored by Humana Foundation in partnership with KaBoom. Play Day is one of the many activities that support Lincoln's recognition as a Playful City by making it easy for kids to get balanced and active play. More information about Playful City USA can be found at kaboom.org.

More information on Parks and Rec is available at parks.lincoln.ne.gov.

- 30 -

Subject: Telecomm/Cable Board agenda for Aug. 4

Special Meeting Notice
City of Lincoln, Nebraska
Telecommunications/Cable Television Advisory Board
12 Noon, Monday, August 4, 2014
Room 303, County-City Building, 555 S. 10th Street, Lincoln, NE 68508

Agenda:

Call to Order
1. Introduction of board members and guests

2. Old Business
- Performance evaluation of Time Warner Cable
- Update on cable franchise transfer request from Comcast

3. Public Comments
Adjournment

Board members: If you cannot attend this meeting, please contact Diane Gonzolas at 402-441-7831 or dgonzolas@lincoln.ne.gov.

Regular meeting dates are the fourth Thursdays of January, April, July and October. The next meeting is scheduled for Oct. 23, 2014.

ACCOMMODATION NOTICE

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.

Diane Gonzolas
Manager, Citizen Information Center
Office of the Mayor
555 S. 10th Street
Lincoln, NE 68508
402-441-7831
cell 402-525-1520
dgonzolas@lincoln.ne.gov

CITY OF LINCOLN NEBRASKA

LINCOLN-LANCASTER COUNTY
PLANNING DEPARTMENT
555 South 10th Street Suite 213 Lincoln, NE 68508
402-441-7491 fax: 402-441-6377 lincoln.ne.gov

LANCASTER COUNTY NEBRASKA

July 25, 2014

RE: Special Permit No. 1665C - Van Dorn Meadows CUP
(South 70th Street and Holmes Park Road)

Dear Property Owners and Interested Parties:

Please be advised that today the applicant's representative, Mark Hunzeker, filed a request to defer the public hearing on the appeal of Special Permit No. 1665C until **Monday, August 4, 2014, at 3:00 p.m.**, and has indicated that he will be submitting a revised site plan for this amendment. A copy of Mr. Hunzeker's letter is attached, for your information.

Therefore, it will not be necessary for you to attend the City Council hearing on Monday, July 28th, at 5:30 p.m. We are doing our best to notify the individuals who have sent letters and emails and who testified at the public hearing before the Planning Commission; however, if you know someone that was planning to attend the City Council hearing on Monday, July 28th, please let them know that it will be deferred.

Please feel free to contact me if you have any questions or need additional information (402-441-6365) or plan@lincoln.ne.gov or the project planner, Brian Will, at 402-441-6362 or bwill@lincoln.ne.gov.

Sincerely,

Jean Preister
Administrative Officer

Q:\pc\permits\sp\1600\SP1665C Deferral

cc: Mark Hunzeker, Baylor Evnen Law Firm
Chateau Development, LLC
Colonial Hills Neighborhood Association (1)
Crown Pointe Townhomes Association (1)
Fox Hollow Neighborhood Association (1)
Willow Springs Homeowners Association (1)
All individuals who testified at the public hearing
All individuals who either sent a letter or an email

DEVELOPMENT SERVICES CENTER DSC

BAYLOR EVNEN
BAYLOR, EVNEN, CURTISS, GRIMIT & WITT, LLP

RANDALL L. GOYETTE*
STEPHEN S. GEALY
GAIL S. PERRY
DALLAS D. JONES
JILL GRADWOHL SCHROEDER
DAVID A. DUDLEY
BRENDA S. SPILKER
W. SCOTT DAVIS
MARK A. HUNZEKER
WILLIAM G. BLAKE
PETER W. KATT

WILLIAM F. AUSTIN
DARLA S. IDEUS
JARROD S. BOITNOTT
TIMOTHY E. CLARKE*
ANDREW M. LOUDON
CHRISTINA L. BALL**
JENNY L. PANKO
CAROLINE M. WESTERHOLD*
JARROD P. CROUSE
ANDREA D. SNOWDEN
DEREK C. ZIMMERMAN

PAUL T. BARTA*
COLIN A. MUES*
TORREY J. GERDES*
ROBERT B. SEYBERT*
BRETT E. EBERT
NOAH J. HEFLIN*
SARA M. HUGHES*

ALSO ADMITTED IN:
*IOWA **KANSAS

OF COUNSEL
WALTER E. ZINK II
DONALD R. WITT
ROBERT T. GRIMIT

July 25, 2014

Via Hand Deliver and Email
Doug Emery, Chair
Lincoln City Council
555 S. 10th Street
Lincoln, NE 68508

RECEIVED
JUL 25 2014
Lincoln/Lancaster Co.
Planning Department

RE: Bill No. 14R-193
Special Permit No. 1665C
Van Dorn Meadows, CUP

Dear Doug and Members of the Council:

On behalf of Chateau Development, we request a one-week deferral of the public hearing and action on the above-captioned matter. The reason for our request is that we intend to present for your consideration on August 4th a new plan for development of the land which is the subject of this application. The new plan will not include a multi-family structure and will propose all townhomes. We will also not be removing from the CUP the two vacant townhome lots in Sherman Estates and the two lots on the west side of Holmes Park Road.

We will have the new plan submitted to the Planning Department in time for the staff to review and formulate a recommendation, and for it to be included in your Council plackets on Thursday.

Sincerely,

Mark A. Hunzeker
For the Firm
mhunzeker@baylorevnen.com

996911

OMAHA OFFICE
ONE PACIFIC PLACE
1125 S. 103RD STREET SUITE 400 OMAHA, NE 68124
PHONE 402.934.5468

LINCOLN MAIN OFFICE
WELLS FARGO CENTER
1248 O STREET SUITE 600 LINCOLN, NE 68508
PHONE 402.475.1075 · FAX 402.475.9515

SYRACUSE OFFICE
920 12TH STREET SYRACUSE, NE 68446
PHONE 402.269.3200

Mary M. Meyer

From: Thomas Shores [tsshores@gmail.com]
Sent: Thursday, July 24, 2014 11:53 PM
To: Jon Camp
Subject: Van Dorn Meadows CUP

Dear Mr. Camp:

I am writing in opposition proposed amendment (Special Permit No. 1665C) to the Van Dorn Meadows Community Unit Plan presented at the Planning Commission meeting of May 28, 2014. In my opinion and that of many of our neighbors (320 signed a petition against this permit) either of these reasons alone is entirely sufficient for rejection of this permit:

1. It is a flawed plan that does not does not meet the standards of good planning practice and moreover works against the health and welfare of the pre-existing community.
2. It puts the city stamp of approval on a duplicitous act on the part of the developer in which so-called luxury condominiums were sold to eighteen buyers under the pretext that the rest of the available contiguous land would be developed in like manner.

At the May 28th meeting several of the committee members expressed a desire to distance themselves from item 2, suggesting that it does not fall under their purview (but not a single member came to the defense of Chateau Development's behavior in this regard.) Though I disagree, I believe that good planning practice alone calls for denial of this permit. Sometimes the technicalities of details of proposals such as this mask the real situation. I know that members of the City Council and Mayor provide valuable to all the residents of Lincoln, not just developers, and that their time is valuable. So I respectfully ask them to take a drive by Outlot B, as Planning Commision member Cathy Beecham has done, to see for themselves what the situation really is. I would suggest entering South 72th via Van Dorn to take a side tour of the existing apartment Chateau complex then, as you drive along Holmes Park Road to Sherman Street, imagine a mini-version of this complex planted on Outlot B. Does that look like good planning practice? I don't think so and hope that you see it that way!

It is unfortunate that the planning staff found itself stuck on finding "some real good sound basis for denying this application", so consider the following. If one computes the perimeter of Outlot B, one can see that nearly 90% of the perimeter directly faces single family home owner properties. So let's be clear about it: Chateau's plan for Outlot B is in no way compatible with its neighbors. It does NOT represent a transition from one type of housing/land development into another – rather it is an incompatible intrusion into this residential area. It could qualify as a classic example of bad planning practice and does not deserve all the "mitigating" that it has received.

Chateau proposes to "withdraw" four remaining 6 single family lots adjacent to Outlot B. The planning commision should have not allowed the form of gerrymandering to fit the developers' plans. Does this mean that once they have a foothold in our neighborhood, they could be permitted to plant one more apartment building on it? Mr. Krout basically gave and answer that amounted to "maybe."
Regarding traffic, one city planner noted that " more access points along a road has the effect of making drivers more cautious and driving slower." Hmmm. Shall we apply that theory to Highway 2 and eliminate the need for a South bypass?
We can agree with Chateau's lawyer, Mr. Hunzeker, that a 25 year span is time enough for changes in the CUP. However, it is not the appropriate time span for Outlot B, since a sign promising future condos on that site was posted until some time in 2004 or later. We most certainly disagree with Mr. Hunzeker that their plan will have no impact on adjacent property values, and one can find real estate salepersons who would agree with us.

Nonetheless, the entire population density calculation of 1989 deserves reconsideration. Were the large pond and long culvert feeding into the pond part of the calculation? If so, they should be removed. For that matter why should the adjacent commons area, which is to be ceded to the Sherman Condominium Association in 2017, be part of the calculation for relevant population density? It pretty unlikely that living units will be built over the pond or in the commons!

Some of the five members of the Planning Commision who bothered stay and hear our objections opined something like "I'm uncomfortable going there," presumably in reference to prior comments about Chateau's promises. The members who left had no comments about the plan -- if the minutes to the subsequent administrative meeting are correct -- but simply voted in favor of the developer's plans as approved by the planning department. I hope that City Council members would "go there," but even if not, reason 1 above is sufficient for rejection of the proposal. Even Mr. Krout opined that "While it is not the norm in the newer areas of the City, there are a number of apartment projects in the city that face across a local street from single family or townhouse lots." So is the idea to make this the norm? Approval of this modification of the CUP has larger implications for home owners in Lincoln, many of whose largest capital investment is in their homes.

For all these reasons, I urge you to reject Special Permit 1665C. More appropriate to Outlot B would be construction of condominiums (not necessarily luxury, but compatible with the surrounding neighborhood.)

Respectfully,
Thomas Shores
3211 Fox Hollow Road

Mary M. Meyer

From: Janelle Ekeler [ekelerfam@aol.com]
Sent: Thursday, July 24, 2014 8:39 PM
To: Jon Camp
Subject: Apt building in my neighborhood

Mr Camp,

I would like to request that you vote no to allowing an apartment building at the corner of Holmes Park Dr and Sherman Dr. This area would be perfect for townhouses but there would be way to much additional traffic if an apartment building is put in there.

Thank you for your consideration in this matter.

Janelle Ekeler
7416 Ringneck Dr
Lincoln, NE

Mary M. Meyer

From: Chonz [chonz@neb.rr.com]
Sent: Friday, July 25, 2014 10:55 AM
To: Jon Camp
Subject: SP1665C

Good Morning Jon,

Just a word of thanks for your willingness to come meet with the neighbors in the Fox Hollow neighborhood regarding the appeal to Chateau Development LLC's request for this zoning amendment. It has been quite a learning experience for myself and the other homeowners. The one positive that has come from this ordeal has been the chance to meet our civic leaders along with more of our neighbors.

We appreciate you taking time out of your day to see the situation for yourself and to hear what our thoughts and concerns have been over these past 8 months. We look forward to Monday's meeting and having our voices heard through this appeal. We are hopeful for a good resolve.

Sincerely,

Carri Honz
3410 Fox Hollow Circle
Lincoln, NE. 68506
(402)483-4303

Sent from my iPad

Mary M. Meyer

From: Sara Bennett [jsbennett1@gmail.com]
Sent: Friday, July 25, 2014 11:13 AM
To: Jon Camp
Subject: SP1665C

Mr. Camp,

Please listen to the people who live in this neighborhood and deny the request of Chateau Development to build a 20 unit apartment building and duplexes on Outlot B. It doesn't fit.

Thank you,

Sara Bennett
7436 Ringneck Dr.

Mary M. Meyer

From: sharron potthoff [pottsmom@hotmail.com]
Sent: Thursday, July 24, 2014 12:32 PM
To: Jon Camp
Subject: 20 apartment units in Fox Hollow

I am a very concerned citizen and very worried about the inappropriate placement of apartments in Fox Hollow . I only ask that you at least go out and look at the site before you vote. Please look at the home owners views in the matter and what it would do to the value of properties around it. Thanks for you time . Concerned citizen Sharron Potthoff

Mary M. Meyer

Subject: 20 apartment units in Fox Hollow

Sharron:

Thank you for your email on the Sherman and Holmes Lake Road northeast corner.

For your information, I did meet with many of your neighbors on Sunday, July 20th, to discuss the project. I also attended the informational meeting last December and have been in communication with many of your neighbors. Several of my City Council colleagues have also met with various neighbors to better understand concerns. Roy Christensen and I personally met with Stefan Gaspar and his attorney, Mark Hunzeker, earlier last week, to share information and concerns.

In response to our meeting and understanding the concerns of many neighbors, Stefan Gaspar has amended his proposal to construct only townhomes and delivered information on this modification to the Planning Department last week. A one week delay has been requested to allow the Planning Department to review these modifications.

Thus, through the exchange of ideas and concerns, a constructive resolution appears to be in the works.

Thank you again for your email. . .and the privilege of representing you and the Fox Hollow neighborhood.

Best regards,
Jon
Lincoln City Council

JON A. CAMP
Haymarket Square/CH, Ltd.
200 Haymarket Square
808 P Street
P.O. Box 82307
Lincoln, NE 68501-2307
Office: 402.474.1838/402.474.1812
Fax: 402.474.1838; Cell: 402.560.1001
Email: joncamp@lincolnhaymarket.com; Website: www.lincolnhaymarket.com

From: sharron potthoff [mailto:pottsmom@hotmail.com]
Sent: Thursday, July 24, 2014 12:32 PM
To: Jon Camp
Subject: 20 apartment units in Fox Hollow

I am a very concerned citizen and very worried about the inappropriate placement of apartments in Fox Hollow . I only ask that you at least go out and look at the site before you vote. Please look at the home owners views in the matter and what it would do to the value of properties around it. Thanks for you time . Concerned citizen Sharron Potthoff

---

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any

Mary M. Meyer

From: Josh Jennifer [joshjenniferco@gmail.com]
Sent: Friday, July 25, 2014 6:27 PM
To: Jon Camp
Subject: Van dorn meadows

Dear Mr. Camp,

We are writing in reference to Special Permit 1665B Van Dorn Meadows Outlet B. As homeowners and residents of a single family home in the Fox Hollow neighborbood, my husband and I are **VERY OPPOSED** to the plans that Chateau Development has for building an apartment building, garages, parking spaces, and duplexes on the lot very near our home. We purchased our home last year and would not have done so had we had any knowledge of these plans. The building of these rental units will very much adversely impact the property value of our home. These rentals are completely incompatable with neighborhood property--there is already a transition from apartments to townhomes to single family homes---these buildings completely interupt this natural flow and are very intrusive to the neighborhood. These rentals are not compatable with the current developed neighborhoods. We bought our home as we were drawn to the quaintness of this neighborhood and the safety that it provides for children. Allowing these rentals to be build very much detracts from the family-friendliness of this neighborhood. It negatively impacts the overall safety, welfare, and environment of our neighborhood.

As our home is located on Holmes Park Rd, we are also very concerned about the traffic congestion. There is already a great deal of traffic on our street as it is the main entry point into the neighborhood. With these rentals, the congestion will greatly increase and negatively impact the neighborhood. The large concentration of people on this lot is also of concern--the proposed rezoning doubles the population density that is currently allowed. The environmental concerns are also very much existent, as these rentals will contribute to noise, light, and water pollution.

We are asking that the proposed amendment to Van Dorn Meadows Outlet B not be approved.

Thank you,
Jennifer Jones

Sent from my iPhone

Mary M. Meyer

Subject: FW: Chateau Development

Jennifer:
As of late last week, the Chateau proposal was modified to contain only townhomes as most of the adjacent neighbors have requested. Today, it appears the matter will be deferred for one week to provide the Planning Department an opportunity to review the modifications. No apartment building is in the modification.

The concerns expressed by you and your neighbors have been instrumental in this modification. I encourage you to monitor the changes.

Thanks for your email and thoughts.
Best regards,
Jon

JON A. CAMP
Haymarket Square/CH, Ltd.
200 Haymarket Square
808 P Street
P.O. Box 82307
Lincoln, NE 68501-2307

Office: 402.474.1838/402.474.1812
Fax: 402.474.1838; Cell: 402.560.1001
Email: joncamp@lincolnhaymarket.com Website: www.lincolnhaymarket.com

Dear Mr. Camp,
We are writing in reference to Special Permit 1665B Van Dorn Meadows Outlet B. As homeowners and residents of a single family home in the Fox Hollow neighborbood, my husband and I are **VERY OPPOSED** to the plans that Chateau Development has for building an apartment building, garages, parking spaces, and duplexes on the lot very near our home. We purchased our home last year and would not have done so had we had any knowledge of these plans. The building of these rental units will very much adversely impact the property value of our home. These rentals are completely incompatable with neighborhood property--there is already a transition from apartments to townhomes to single family homes---these buildings completely interupt this natural flow and are very intrusive to the neighborhood. These rentals are not compatable with the current developed neighborhoods. We bought our home as we were drawn to the quaintness of this neighborhood and the safety that it provides for children. Allowing these rentals to be build very much detracts from the family-friendliness of this neighborhood. It negatively impacts the overall safety, welfare, and environment of our neighborhood.

As our home is located on Holmes Park Rd, we are also very concerned about the traffic congestion. There is already a great deal of traffic on our street as it is the main entry point into the neighborhood. With these rentals, the congestion will greatly increase and negatively impact the neighborhood. The large concentration of people on this lot is also of concern--the proposed rezoning doubles the population density that is currently allowed. The environmental concerns are also very much existent, as these rentals will contribute to noise, light, and water pollution.

We are asking that the proposed amendment to Van Dorn Meadows Outlet B not be approved.
Thank you,
Jennifer Jones

Mary M. Meyer

From: Jenne Rodriguez [hjzrodriguez@gmail.com]
Sent: Friday, July 25, 2014 10:02 PM
To: Jon Camp
Subject: Thank you--Chateau Development Project Deferred

Thank you for meeting with us and our neighbors last Sunday about the proposed project by Chateau Development for Outlot B in Van Dorn Meadows. We appreciate your dedication to public service.

We are pleased to hear Chateau will amend the plan to townhomes. We are especially grateful for the collaborative efforts of you and your colleagues to dissuade Mr. Gaspar in his plans to insert multi-family structures within single family residences. We are most appreciative of your diligence and leadership.

We look forward to working toward a compromise that is best for the neighborhood.

If we can be of assistance to you in the future, please let us know.

Henry and Jenne Rodriguez
3431 Fox Hollow Circle
Lincoln, NE 68506
402-489-3537

Mary M. Meyer

Subject: Chateau Development Project Deferred

Henry and Jenne:
Thank you for your email. While I appreciate your kind comments, much of the gratitude rests with you and your neighbors, who have evaluated the situation and presented a history of the development. In particular, Henry, I want to thank you for delivering an extensive packet of materials to me last December.

Roy Christensen was also helpful and accompanied me in a meeting with Mr. Gaspar and his attorney, Mark Hunzeker, earlier last week. Our face-to-face conversation was constructive and the subsequent modification by Mr. Gaspar reflects his understanding of your concerns. I look forward to reviewing the final details. Mr. Gaspar has constructed many fine buildings and he undoubtedly will continue follow his high standards as he proceeds with the development of townhomes on the east side of Sherman.

Let me know if I can be of further assistance.

Best regards,
Jon
Lincoln City Council

JON A. CAMP
Haymarket Square/CH, Ltd.
200 Haymarket Square
808 P Street
P.O. Box 82307
Lincoln, NE 68501-2307
Office: 402.474.1838/402.474.1812
Fax: 402.474.1838; Cell: 402.560.1001
Email: joncamp@lincolnhaymarket.com; Website: www.lincolnhaymarket.com
Check our reception and event venues at: ***http://www.facebook.com/pages/Apothecary-Lofts-Ridnour-Rooms/173175799380032***

From: Jenne Rodriguez [mailto:hjzrodriguez@gmail.com]
Sent: Friday, July 25, 2014 10:02 PM
To: Jon Camp
Subject: Thank you--Chateau Development Project Deferred

Thank you for meeting with us and our neighbors last Sunday about the proposed project by Chateau Development for Outlot B in Van Dorn Meadows. We appreciate your dedication to public service.

We are pleased to hear Chateau will amend the plan to townhomes. We are especially grateful for the collaborative efforts of you and your colleagues to dissuade Mr. Gaspar in his plans to insert multi-family structures within single family residences. We are most appreciative of your diligence and leadership.

We look forward to working toward a compromise that is best for the neighborhood.
If we can be of assistance to you in the future, please let us know.

Henry and Jenne Rodriguez

3431 Fox Hollow Circle

Mary M. Meyer

From: Jill Berry [floydandflorence@yahoo.com]
Sent: Saturday, July 26, 2014 8:52 AM
To: Jon Camp
Subject: Outlot B

John,
Very simply put, we want to THANK YOU for your vote against the Chateau apartment development on Outlot B in the Fox Hollow neighborhood. We appreciate the opportunity to meet you and have you help us through this process.
John and Jill Berry

Mary M. Meyer

Subject: Outlot B--Chateau Development

Jill and John:

Thanks for your email. . .I also enjoyed meeting you at the Sunday evening meeting.

In case you have not heard, Stefan Gaspar has modified his proposal to have only townhomes and has asked for a one week delay to enable the Planning Department to review the changes. Roy Christensen and I met with Mr. Gaspar and his attorney last week and discussed the concerns expressed by you and your neighbors, so it appears Mr. Gaspar is responding to these concerns.

Please monitor the information that will soon be shared on the townhome proposal.

Best regards,
Jon

JON A. CAMP
Haymarket Square/CH, Ltd.
200 Haymarket Square
808 P Street
P.O. Box 82307
Lincoln, NE 68501-2307

Office: 402.474.1838/402.474.1812
Fax: 402.474.1838 Cell: 402.560.1001
Email: joncamp@lincolnhaymarket.com; Website: www.lincolnhaymarket.com

Check our reception and event venues at: ***http://www.facebook.com/pages/Apothecary-Lofts-Ridnour-Rooms/173175799380032***

From: Jill Berry [mailto:floydandflorence@yahoo.com]
Sent: Saturday, July 26, 2014 8:52 AM
To: Jon Camp
Subject: Outlot B

John,
Very simply put, we want to THANK YOU for your vote against the Chateau apartment development on Outlot B in the Fox Hollow neighborhood. We appreciate the opportunity to meet you and have you help us through this process.
John and Jill Berry

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

Mary M. Meyer

From: Karen Lindsay [klindsay1@neb.rr.com]
Sent: Sunday, July 27, 2014 9:50 PM
To: Jon Camp
Subject: Thank you

Dear City Council Member,

Thank you so much for your attention and efforts in supporting the residents of Van Dorn Meadows and Fox Hollow neighborhoods in opposition to the proposed apartments on Outlot B. I appreciate that you listened to our concerns and made your decisions based on what you heard and saw to be true. I also appreciate that the Council adheres to the guidelines of a Community Unity Plan as defined by city planners.

I am delighted with the outcome of NO apartments and only townhomes in our beautifully transitioned "corner of the world". My interest in this development does not end here. I will be in attendance at the August 4 meeting and others moving forward.

Your decision restores in me the faith that those individuals governing our city will make the choices that are in the best interest of the city and its citizens instead of those that are just "all about money".

Thank you again.

Respectfully,

Karen Lindsay

3201 Sherman Place

Mary M. Meyer

From: Jon Stanton [jstant76@gmail.com]
Sent: Monday, July 28, 2014 8:23 AM
To: Miki Esposito; Jon Camp
Subject: Pothole Issue

Dear Councilman Camp:

I read the article in the Journal Star this morning about reporting potholes and wondered if Lincoln had a "See Click Fix" account for reporting issues throughout the city. I moved here a couple of years ago from Lansing, Michigan, and in Lansing, See Click Fix was used quite extensively and reports came from all over the city on a variety of issues. It was especially helpful for also reporting issues on the bike trails.

I did a Google search and see that Lincoln does have an account (http://seeclickfix.com/lincoln) but wondered how heavily it was being promoted? It would likely expedite the reporting of potholes and other problems much more quickly. Perhaps this is the app that you referred to in the newspaper article, but it would have been very helpful if the newspaper would have included the link.

I would cordially suggest that the city consider promoting the site more extensively and making it more visible on the city's homepage.

Thank you.

Sincerely,

Jon Stanton
1501 Arapahoe St
Lincoln

Mary M. Meyer

From: Miki Esposito
Sent: Monday, July 28, 2014 11:58 AM
To: 'Jon Stanton'; Jon Camp
Subject: RE: Pothole Issue

Mr. Stanton ~
Thank you so much for your email and for sharing the information about See Click Fix. I'm very curious about it and will definitely research whether it could replace our existing reporting measures.

Currently, the City uses the "Citizen Action Center" for reporting issues/concerns/problems in the City. Here is the link: https://www.lincoln.ne.gov/aspx/city/action/default.aspx

We also have an App for reporting issues: if you search "Lincoln Action Center" in your App Store you should be able to download it to your phone for free.

Again, it was very thoughtful of you to share your knowledge about Lansing. We're always interested in improving our services - - so please let me know if you think of anything else!

Kindest Regards,
Miki

Miki Esposito, Director
Public Works & Utilities
555 S. 10th St. Room 208
Lincoln, NE 68508
(402) 441-6173
mesposito@lincoln.ne.gov

From: Jon Stanton [mailto:jstant76@gmail.com]
Sent: Monday, July 28, 2014 8:23 AM
To: Miki Esposito; Jon Camp
Subject: Pothole Issue

Dear Councilman Camp:

I read the article in the Journal Star this morning about reporting potholes and wondered if Lincoln had a "See Click Fix" account for reporting issues throughout the city. I moved here a couple of years ago from Lansing, Michigan, and in Lansing, See Click Fix was used quite extensively and reports came from all over the city on a variety of issues. It was especially helpful for also reporting issues on the bike trails.

I did a Google search and see that Lincoln does have an account (http://seeclickfix.com/lincoln) but wondered how heavily it was being promoted? It would likely expedite the reporting of potholes and other problems much more quickly. Perhaps this is the app that you referred to in the newspaper article, but it would have been very helpful if the newspaper would have included the link.

I would cordially suggest that the city consider promoting the site more extensively and making it more visible on the city's homepage.

Thank you.

Sincerely,

Jon Stanton
1501 Arapahoe St
Lincoln

Mary M. Meyer

From: Jane Grabenstein-Chandler [jgrabenste@gmail.com]
Sent: Monday, July 28, 2014 11:21 AM
To: Council Packet
Subject: Outlot B

To Council Members:
Thank you, thank you, thank you, for listening to the concerns of the neighborhood re the proposal by Stephan Gaspar to shoe-horn apartments into our neighborhood. Thank you especially to those of you who came to look at the lot and agreed that it was inappropriate for his intended project.

While we would like to see townhomes similar to ours built on this lot, with the same restrictive covenants, we know that he can build anything that is within the current zoning regulations. However not having the extreme density that he proposed is definitely a plus for the neighborhood. We just hope that whatever he proposes is appropriate.

Jane Grabenstein-Chandler
Don Chandler

Mary M. Meyer

From: sara larkins [saralarkins2@gmail.com]
Sent: Monday, July 28, 2014 11:11 AM
To: Leirion Gaylor Baird; Jon Camp; Roy A. Christensen; Trenton J. Fellers
Subject: An Urgency

Dear City Council members,

I wish you a pleasant morning.

I'm writing this email to bring your attention to a proposed negative impact to the area. I'm referring to the already over crowded Lux Middle School. With the proposal to rezone the Holmes Park Rd & Sherman intersection for apartments the idea of exponentially more students attending local Morley Elementary, Lux Middle School and East High Schools- I beg you to be mindful of teachers and administrators capacities. I volunteer frequently at the Middle school to assist with the already over taxed librarians and teachers. Proposed increased of class sizes are a fact of life as the ebb and flow of population but do not need to be intentionally fueled further through rezoning of an area that will inevitability yield further numbers of students through it's current zoning.

Please do not allow the increase of students, cars & traffic when so many apartments already provide abundant housing for those who prefer it or require it.

I thank you for your time and consideration. Please do not allow apartments to exponentially exacerbate our already challenged situation.

Sara Larkins

--
Thank you,
Sara J. Larkins
President MCC & Clean Street Food
www.cleanstreetfood.com
402.957.0359
Ideate, Execute,Thrive

July 25, 2014

Dear Lincoln City Council Members:

We have read with disbelief the Mayor's budget recommendation suggesting a daily fee or yearly pass fee to utilize Pioneer Park Nature Center. We are very concerned an idea like this seriously entertained tends to bring about the realization of itself. Our very first thought was the reduction of people going to the park due the fee. Our second thought was the expense of hiring someone to sit at the gate and collect this fee and the cost to construct a heated and air conditioned gate booth. Thus the $35,000 estimated collection quickly melts. Sometimes we drive through the park with our Grandkids to see the buffalo and elk or we walk down to the kids building with snakes and bones. When we drive through on weekends or holidays, we note many large family gatherings at shelter areas and picnic tables. In fact all of these are normally completely full of families enjoying the outdoors in a beautiful setting. Perhaps some of these families live in apartments and this is the ONLY place the families have in Lincoln today to enjoy with no entry fees attached. We see kids playing ball, flying kites and utilizing the playground equipment. Many of these are young families and we respect their continued family gatherings that many of us have curtailed. The park is a place all can gather where the winds of change have not blown away traditional family values. In Thursday's paper Public Safety Director Tom Cassidy is quoted, "fight crime invest in kids". Another headline states, "Have a teen? Don't give up family time." Will charging to enter Pioneer Park result in families giving up family time and the city curtailing one of their investments in kids? How many large families do you suppose will pay $3 a person over five years old if this fee is imposed? How many places are there for families to gather in the shade and beauty of the outdoors around Lincoln without paying a fee? Will their kid's tears of disappointment be a waste of water to the council? Will allowing this park and its long historic family fun role to remain open free of fees break the city's budget? We think not and ask you to chew on this proposal seriously with memories of families and family gatherings. Your decision will effect generations of Lincoln families. There is a Chinese Proverb that states, "A child's life is like a piece of paper on which every person leaves a mark." Hopefully, your mark on Lincoln's children will be a positive mark.

Respectfully, Larry & Sally Sitzman, 7554 Kentwell Lane, Lincoln, NE 68616

Mary M. Meyer

From: John Strain [jdstrain@gmail.com]
Sent: Monday, July 28, 2014 11:36 AM
To: Jon Camp; Doug Emery
Subject: Apartment complex on Outlot B

Dear Mr. Camp and Mr. Emery,

We live in Fox Hollow and would like to echo the negative sentiment that others in Fox Hollow have toward this proposed project.

Building apartments was not the original intent of the landlord. The 'bait and switch' tactics they have used, if successful, would add considerably to the traffic and congestion on Holmes Park Road and 70th street.

Please vote against this proposed change.

Thank you,

John Strain
7400 Osage Court
Lincoln 68506

CITY OF LINCOLN NEBRASKA

PUBLIC WORKS & UTILITIES DEPARTMENT
Engineering Services
901 West Bond Street Suite 100 Lincoln, NE 68521
402-441-7711 fax: 402-441-6576 lincoln.ne.gov

FILED
CITY CLERK'S OFFICE
2014 JUL 25 AM 5 22
CITY OF LINCOLN
NEBRASKA

July 18, 2014

O'Flaherty, Clement L
510 S 28 St
Lincoln, NE 68510

RE: Paving District
NW 10th Street from W. Dawes Street to W. Belmont Street

Dear Property Owner:

The City Council has received an ordinance creating a Paving Special Assessment District.

City records indicate that you own the following property in the assessment area:

946 W Dawes Ave (West Lincoln, Block 7, Lot 7)

A public hearing on the proposed ordinance will be held during the City Council meeting on Monday, July 28, 2014, at 5:30 p.m. in the City Council Chambers in the County-City Building, 555 South 10th Street. If the ordinance is passed and implemented, an assessment to your property may be proposed.

If you are unable to attend this meeting, but wish to voice your opinion on this district, you may do so in writing to the City Council in care of the City Clerk, 555 South 10th Street, Lincoln NE 68508. If you should have questions on this matter, please do not hesitate to contact Susie Filipi of this Department at 402-441-1646.

Sincerely,

Miki Esposito
Director of Public Works & Utilities

I think this is not a very good idea. There is only 2 house on the NORTH side of West Dawes. I don't even think it is a full block. I can't see any way this would be as a benefit to the NORTH side of West Dawes

Clement L. O'Flaherty

cc: City Clerk
Susie Filipi

PropertyOwners_Ltr.doc

Bonnie O'Flaherty
510 S. 28th St.
Lincoln, NE 68510

OMAHA NE 681
24 JUL 2014 PM 5 L

City Clerk
555 South 10th Street
Lincoln Nebraska 68508

FILED
CITY CLERK'S OFFICE
2014 JUL 25 AM 5 22
CITY OF LINCOLN
NEBRASKA

6850833993

Mary M. Meyer

From: Donald F. Burt [dburt@clinewilliams.com]
Sent: Saturday, July 26, 2014 2:19 PM
To: Leirion Gaylor Baird; Trenton J. Fellers; Carl B. Eskridge; Jon Camp; Jonathan A. Cook; Doug Emery; Roy A. Christensen
Subject: Special Permit 1665C

Dear Council members:

Carole and I want to thank you for your diligence and openness in dealing with our concerns over the Chateau Development proposal. We understand that these matters involve a balancing of interests and that often there is no single answer that will satisfy everyone. For our part, we will await Mr. Gaspar's revised proposal with a positive attitude, on the assumption that it will address the concerns we expressed and you appear to have shared. We look forward to a final resolution of this matter that creates an even better neighborhood. Thank you again for your efforts.

Sincerely,

Don and Carole Burt
3211 Sherman Place

Donald F. Burt
Cline, Williams, Wright, Johnson & Oldfather, L.L.P.
1900 U.S. Bank Building
233 South 13th Street
Lincoln, Nebraska 68508
(402) 474-6900
dburt@clinewilliams.com

Mary M. Meyer

From: Rebecca Meyer [rjm.73@live.com]
Sent: Sunday, July 27, 2014 9:09 AM
To: Jon Camp; Roy A. Christensen; Jonathan A. Cook; Doug Emery; Carl B. Eskridge; Trenton J. Fellers; Leirion Gaylor Baird
Subject: Re: Special Permit No. 1665C

Dear Council Members,

Thank you for working on behalf of the residents who live in the immediate area and all of Fox Hollow.

Knowing your time is valuable and your understand of the impact & details the zoning change involve, I will make this heartfelt message short. "You are my voice."

Sincerely,
Rebecca Meyer

Mary M. Meyer

From: Lynn Fisher [greatplace@neb.rr.com]
Sent: Sunday, July 27, 2014 3:18 PM
To: Doug Emery; Jon Camp; Jonathan A. Cook; Carl B. Eskridge; Leirion Gaylor Baird; Roy A. Christensen; Trenton J. Fellers
Subject: Pershing

Dear council folks,
Why don't we leave the Pershing mural in place, teat down the rest of the building and leave the mural as a free standing art wall or require any new development to incorporate the mural wall into the structure. The mural is the only part of the structure worth saving. This opens up all the potential but saves the mural.
Thanks,
Lynn Fisher – Great Place Properties
402-432-2386

Mary M. Meyer

From: Ron Brooks [rbrooks@neb.rr.com]
Sent: Saturday, July 26, 2014 9:42 PM
To: Jon Camp
Subject: A BIG thank you

Just wanted to say Thank You soooo much for coming out to our neighborhood to see the Outlot B area in person. We did appreciate that you took private time to come talk to us. I know you are very influencial on the council.... and that had a great deal to do with the others seeing the problems involved.
Thank you Thank you Thank you.... I hope that Mr. Gaspar will come back with a new proposal that will be agreeable to all.
You are a wonderful representative for our area.
Susan Brooks

Mary M. Meyer

Subject: FW: Outlot B

Susan:

Thank you for your kind email. The appreciation is rightfully expressed to you and your neighbors for reviewing the proposed development and sharing your concerns.

Roy Christensen and I met with Stefan Gaspar and his attorney earlier last week and discussed the concerns you and your neighbors have expressed.

Subsequently, Mr. Gaspar has modified his proposal toward the end of last week to contain ONLY townhomes and has asked for a one week delay to enable the Planning Department an opportunity to review the changes. I anticipate that the City Council will support this request at our meeting this evening.

Again, thank you for your thoughts and the opportunity to visit a week ago.
Best regards,
Jon

JON A. CAMP
Haymarket Square/CH, Ltd.
200 Haymarket Square
808 P Street
P.O. Box 82307
Lincoln, NE 68501-2307

Office: 402.474.1838/402.474.1812
Fax: 402.474.1838; Cell: 402.560.1001
Email: joncamp@lincolnhaymarket.com
Website: www.lincolnhaymarket.com

Check our reception and event venues at: ***http://www.facebook.com/pages/Apothecary-Lofts-Ridnour-Rooms/173175799380032***

From: Ron Brooks [mailto:rbrooks@neb.rr.com]
Sent: Saturday, July 26, 2014 9:42 PM
To: Jon Camp
Subject: A BIG thank you

Just wanted to say Thank You soooo much for coming out to our neighborhood to see the Outlot B area in person. We did appreciate that you took private time to come talk to us. I know you are very influencial on the council.... and that had a great deal to do with the others seeing the problems involved.
Thank you Thank you Thank you.... I hope that Mr. Gaspar will come back with a new proposal that will be agreeable to all.
You are a wonderful representative for our area.
Susan Brooks

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

Mary M. Meyer

From: Doug Emery
Sent: Sunday, July 27, 2014 4:15 PM
To: Ron Brooks; Leirion Gaylor Baird; jcookcc@aol.com; Jon Camp; Trenton J. Fellers; Carl B. Eskridge
Subject: RE: thank you so much Councilman Emery

Ms Brooks,

I believe this was a team effort and that all of the adverse publicity and the reluctance of the council to act immediately on this item helped Mr Gaspar agree to take a second look. Like you I will look forward to what the changes look like. Eventually something will go in here and it might not be totally to everyone's liking. At the end of the day the owner of the land has to be able to build.

Thanks,

Doug Emery

From: Ron Brooks [rbrooks@neb.rr.com]
Sent: Saturday, July 26, 2014 10:07 PM
To: Doug Emery
Subject: thank you so much Councilman Emery

Just a quick note to tell you how much we appreciated the decisiion the Council made in not supporting Mr Gaspar in his bid to build an apartment and duplexes on Outlot B in Fox Hollow.
We know how busy you all are and I'm sure it took a lot of reading to get through all the information involved these last few weeks.
We will be at the next meeting to see what proposal he will present. I'm hoping that it will be agreeable to all involved.
Again thank you so much for your support of our neighborhood.

Susan Brooks
3253 Sherman Place

Mary M. Meyer

From: Chonz [chonz@neb.rr.com]
Sent: Monday, July 28, 2014 8:51 AM
To: leirion@leirionforlincoln.org; Trenton J. Fellers; Jon Camp; Roy A. Christensen; Council Packet
Cc: Jean Preister
Subject: SP1665C

Dear Lincoln City Council Members,

Thank you all so much for your willingness to work with us on our neighborhood zoning issue. To say are we pleased with the results would be an understatement. We battled hard and it paid off.

To say we do not have concerns for where it goes from here would be untrue. These past few months have been such a learning experience for myself and the other neighbors. We know now how on top of things we as citizens must be to ensure the right outcome.

To say we are thrilled with the word townhomes, definitely. To have concerns over how many and what their style and construction will be, for sure. We will continue to monitor what Mr. Gaspar, Chateau and their legal counsel continue to do from this point forward and hope for the right results.

Thank you again for your willingness to work with us and see this proposal for what it truly was.

Sincerely,
Carri Honz
3410 Fox Hollow Circle
Lincoln, Nebraska 68506
(402)483-4303
Sent from my iPad

Mary M. Meyer

From: Barb Bettin [BBettin@ymcalincoln.org]
Sent: Thursday, July 24, 2014 11:56 AM
To: Jon Camp; Jonathan A. Cook; Doug Emery; Carl B. Eskridge; Leirion Gaylor Baird; Roy A. Christensen; Trenton J. Fellers
Subject: Council Approves Jensen Park

Members of the Council,

I wanted to personally thank you for your review, discussion and final approval of Jensen Park. The time you gave to this decision is truly appreciated. The maximizing of resources, the collaboration and the partnership at Jensen Park will enable us to provide a great resource for our community.

I know the YMCA will serve families and children in affordable programs for many years to come. This site will provide multiple activities and is another example of why the quality of life in Lincoln is so outstanding.

Thank you again. I look forward to seeing you soon and most certainly at the ribbon cutting ceremony in 2017!

Best regards,

Barb

FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

Barbara A. Bettin
President/CEO
Lincoln YMCA Administrative Office
570 Fallbrook Blvd., Suite. 210
Lincoln, NE 68521
(402) 434-9201
www.ymcalincoln.org

Visit Us On Facebook