

DIRECTORS' ORGANIZATIONAL MEETING

Monday, September 17, 2018

555 S. 10TH STREET

BILL LUXFORD STUDIO

I. MINUTES

1. Approval of Directors' minutes from September 10, 2018

II. ADJUSTMENTS TO AGENDA

III. CITY CLERK

IV. MAYOR'S OFFICE

V. DIRECTORS CORRESPONDENCE

PLANNING COMMISSION

1. Administrative Approvals from September 4, 2018 through September 10, 2018
2. Action dated September 12, 2018
3. Final Action dated September 12, 2018

VI. BOARDS/COMMITTEES/COMMISSION REPORTS

1. BOH - Shobe (09.11.18)
2. RTSD - Lamm, Christensen, Raybould (09.11.18)
3. Keno Advisory Board - Gaylor Baird (09.11.18)
4. MAC - Shobe (09.11.18)
5. ISPC - Gaylor Baird (09.13.18)
6. Parks & Rec - Gaylor Baird (09.13.18)

VII. CONSTITUENT CORRESPONDENCE

1. Parking near Pius X High School - Kletus Morgan
Staff response provided by Lin Quenzer, City Ombudsman
Staff response provided by Councilman Eskridge
2. Spectrum - Donna Becker
3. Safe Gun Storage, opposition - Tyson Rung
4. Veto of Krueger Development Project - Carol McClain
5. Dog Attack - Marilyn Dorf

VIII. MEETINGS/INVITATIONS

See invitation list.

IX. ADJOURNMENT



Memorandum

Date: ♦ September 11, 2018
To: ♦ City Clerk
From: ♦ Amy Huffman, Planning Dept.
Re: ♦ Administrative Approvals
cc: ♦ Planning Commission
♦ Geri Rorabaugh, Planning Dept.

This is a list of the administrative approvals by the Planning Director from September 4, 2018 through September 10, 2018:

Administrative Amendment 18049, to Preliminary Plat No. 04011, Waterford Estates, approved by the Planning Director on September 6, 2018, to update the opening and lowest floor elevations in the Drainage Plan, generally located between Holdrege and O Streets from N. 93rd to N. 104 Streets.

Administrative Amendment No. 18053, Bryan Health East Campus, approved by the Planning Director on September 6, 2018, to add a building addition area and two new signs to the Campus Sign Plan, generally located at S 48th Street and Sumner Street.

F:\DevReview\AA\AAA weekly approvals City.wpd

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



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

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, September 12, 2018, at 1:00 p.m. in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

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

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

AGENDA

WEDNESDAY, SEPTEMBER 12, 2018

[Commissioners Edgerton and Hove absent]

Approval of minutes of the regular meeting held August 29, 2018. ****APPROVED: 7-0; (Hove and Edgerton absent)****

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

CHANGES OF ZONE:

- Page
01
- 1.1 Change of Zone 05002B, to amend the Links at Lincoln Planned Unit Development (PUD) to allow for the sale of alcohol for consumption on the premises as an accessory use to the golf course and clubhouse, on property generally located at 375 Fletcher Avenue.
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the staff report dated August 29, 2018: 6-0 (Scheer, Hove and Edgerton absent). Public hearing before the City Council is tentatively scheduled for Monday, October 1, 2018, 3:00 p.m.

1.2 Change of Zone 08041A, to expand the existing Planned Unit Development (PUD) boundary limits by approximately 3.03 acres, more or less, on property generally located at the SW Corner of South 70th Street and Pine Lake Road.

Staff recommendation: Conditional Approval

Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the staff report dated August 29, 2018: 6-0 (Scheer declared a conflict of interest; Hove and Edgerton absent). Public hearing before the City Council is tentatively scheduled for Monday, October 1, 2018, 3:00 p.m.

2. **REQUESTS AND FOR DEFERRAL: None.**

3. **ITEMS REMOVED FROM CONSENT AGENDA None.**

4. **PUBLIC HEARING AND ADMINISTRATIVE ACTION:**

COUNTY TEXT AMENDMENT:

4.1 County Text Amendment 18008, to amend Article 2, Section 2.002 by adding a definition for "accessory dwelling unit"; Article 4, Section 4.007 to list accessory dwelling unit as a special permit; and Article 13, by adding Section 13.049 of the Lancaster County Zoning Regulations, to allow Accessory Dwelling Units (ADUs) by special permit in the AG Zoning District.

Staff recommendation: Approval

Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov

Planning Commission recommendation: APPROVAL, as amended: 7-0 (Hove and Edgerton absent). Public hearing before the County Board is pending at this time.

SPECIAL PERMIT:

4.2 Special Permit 18032, to allow for the development of a Community Unit Plan (CUP) to include 6 single family dwelling units, with requested waivers, on property generally located at 5405 Roose Street. ****FINAL ACTION****

Staff recommendation: Conditional Approval

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

Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the amended staff report dated August 30, 2018, as offered by the applicant: 6-1 (Corr dissenting; Edgerton and Hove absent). Resolution No. PC-01616.

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

Adjournment: 3:07 p.m.

PLANNING COMMISSION FINAL ACTION NOTIFICATION

TO: Mayor Chris Beutler
Lincoln City Council

FROM: Geri Rorabaugh, Planning

DATE: September 12, 2018

RE: Notice of final action by Planning Commission: September 12, 2018

Please be advised that on September 12, 2018, the Lincoln City-Lancaster County Planning Commission adopted the following resolution:

Resolution No. PC-01616, approving **SPECIAL PERMIT 18032**, request of Random Business Adventures, LLC, to allow for the development of a Community Unit Plan (CUP) to include 6 single-family dwelling units, with requested waivers, on property legally described as Lot 2, Harvest Acres 1st Addition, located in the NE 1/4 of Section 5-9-7 and the SE 1/4 of Section 32-10-7, Lincoln, Lancaster County, Nebraska, generally located at 5405 Roose Street.

The Planning Commission action on this application is final, unless appealed to the City Council by filing a notice of appeal with the Planning Department 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. SP18032). The Resolution and Planning Department staff report are in the "Related Documents" under the application number.

F:\devreview\final action notices\cc\2018\091218

Angela M. Birkett

From: Carl B. Eskridge
Sent: Tuesday, September 11, 2018 9:26 AM
To: kletus.morgan@gmail.com
Cc: Angela M. Birkett; Lin Quenzer
Subject: Fw: Parking ban near PiusX H.S. that punishes homeowners

Mr. Morgan,

Thank you for your email. I had the occasion to talk with city staff about your concern and learned that the city is working with the ECCO (East Campus) Neighborhood on this very issue. They are exploring the possibility of a parking district in that neighborhood where parking by East Campus students has been an ongoing issue. There are similar concerns in residential areas around the Main UNL Campus, Nebraska Wesleyan, the Capitol and Southeast High School, as well as Pius X. Many cities have these kinds of districts that require residents to have stickers for parking on the streets. It is not a perfect solution and city staff are exploring if there are ways to make it work here. I would see that ECCO as the testing ground for how it could work in other neighborhoods.

Carl

Carl B. Eskridge

Lincoln City Council
District 4 (Central and NW Lincoln)

From: Lin Quenzer
Sent: Monday, September 10, 2018 12:26 PM
To: Angela M. Birkett; 'joncamp@lincolnhaymarket.com'; 'royforlincoln@gmail.com'; Bennie R. Shobe; Carl B. Eskridge; Cyndi Lamm; Jane Raybould; Leirion Gaylor Baird; 'kletus.morgan@gmail.com'
Cc: Lonnie J. Burklund; Michele M. Abendroth; Melissa M. Ramos-Lampli
Subject: RE: Parking ban near PiusX H.S. that punishes homeowners

Dear Mr. Morgan and Council:

Thanks for contacting the City Council with your questions about the parking restrictions in your neighborhood. I have forwarded your concerns on to Public Works for a response. Someone will respond to the issues you have raised and copy me.

Your time in bringing this matter to the attention of the City is appreciated. Please feel free to contact me should you have question or concerns on this or other issues regarding Lincoln City government.

Sincerely,

Lin Quenzer
Ombudsman, LGBT Liaison
Title VI/ADA Co-Coordinator
Office of the Mayor
City of Lincoln, Nebraska 68508
402.441.7511

“All acts of kindness are lights in the war for Justice”

~Joy Harjo

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

From: Angela M. Birkett

Sent: Monday, September 10, 2018 8:36 AM

To: 'joncamp@lincolnhaymarket.com' <joncamp@lincolnhaymarket.com>; 'royforlincoln@gmail.com' <royforlincoln@gmail.com>; Bennie R. Shobe <BShobe@lincoln.ne.gov>; Carl B. Eskridge <CEskridge@lincoln.ne.gov>; Cyndi Lamm <CLamm@lincoln.ne.gov>; Jane Raybould <JRaybould@lincoln.ne.gov>; Leirion Gaylor Baird <LGaylorBaird@lincoln.ne.gov>

Cc: Lin Quenzer <LQuenzer@lincoln.ne.gov>

Subject: FW: Parking ban near PiusX H.S. that punishes homeowners

Please see the following email received via Council email that will be added to the Addendum for today. Thanks.

Angie Birkett

Office Coordinator

Lincoln City Council

555 South 10th St., Ste 111

Lincoln, NE 68508

Phone 402-441-6867

Fax 402-441-6533

abirkett@lincoln.ne.gov

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

From: Kletus Morgan [<mailto:kletus.morgan@gmail.com>]

Sent: Thursday, September 06, 2018 10:09 PM

To: Council Packet <CouncilPacket@Lincoln.ne.gov>

Subject: Parking ban near PiusX H.S. that punishes homeowners

To whom it may concern,

My wife and I are homeowners in the Roberts Park neighborhood just south of Lincoln PiusX High School. Over the past few years my family's vehicles have received parking tickets in front of our home because of the "No Parking 8a-4p on Schooldays" restriction.

We feel that it is wrong for homeowners to be punished because Lincoln Pius H.S. is not able to provide sufficient parking for their students. If our elderly parents or friends want to visit us on a school day we either block the sidewalk or park in the street and risk getting a \$10 parking ticket. Also, when it snows I'm parking illegally if I move my vehicles onto the street to shovel my driveway. There are many examples why I would need to park in the street but I won't list them all.

We also think that there should be some provision for tax paying homeowners and residents to park in front of their own home regardless if a private school is in session or not. When I called the LPD Parking Enforcement division today I was told that, "the law is the law". However, a tree-trimming truck and its' associated company trucks should have all received parking citations today since they were parked on the street in my neighborhood from approximately 9a-3p.

I've tried contacting the City of Lincoln concerning a special permit for our vehicles to identify us as homeowners which would allow us to park on the street in front of our home on school days or removing the restriction altogether but cannot get clarification on how to pursue either of these options.

What City of Lincoln department or official can I contact about this issue?

Sincerely,

Kletus Morgan
1515 Circle Dr.
Lincoln, NE 68506
402-570-0659
Sent from my iPhone

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Tuesday, September 11, 2018 7:22 AM
To: Jon Camp; Roy A. Christensen
Subject: InterLinc - Contact

City Council - Contact

Date : 9/11/2018 7:22:08 AM

name Donna Becker
address 3000 Orwell St
city Lincoln
state NE
zip 68516
email drbecker@ymail.com

comments I have spent 6 days trying to get Spectrum to come out and service my Cable feed. I talked to 10 people in those 6 days. (no local phone number available) They supposedly expedited my service call 3 times and no tech has shown up. I noticed on the BBB website that Spectrum has over 16000 complaints with them. I have friends that can back this up, as they have had issues as well. The cable feed is terrible, with hesitation and skipping in the feed and some TV's not even getting reception at all. I highly suggest someone on the council do something about Spectrum's service. We, citizens, are paying a VERY HIGH cable bill with Spectrum and for what???.....a very poor service. Please do the public a service and either make Spectrum own up to their issues or move out and get a reputable Cable company in Lincoln. I chose to contact you two, because I believe of all the council members your two have it together.

IP: 76.84.117.195

Form: <https://lincoln.ne.gov/city/council/contact.htm>

User Agent: Mozilla/5.0 (Windows NT 6.1; Win64; x64; rv:62.0) Gecko/20100101 Firefox/62.0

Angela M. Birkett

From: Tyson Rung <tysonrung@gmail.com>
Sent: Tuesday, September 11, 2018 10:42 AM
To: Jon Camp
Subject: Firearm Storage Ordinance

Councilman Camp,

While listening to the radio I became aware and concerned in hearing of a new Lincoln ordinance being proposed regulating the storage of firearms.

I am a firearm owner and when any gun I own isn't in my control it is locked up, but I see a few problems with local government attempting to control this type of thing.

By mandating all firearms be locked in a certain way, our local government will be completely overlooking the diverse situations presented in each household. Making a home safe in a high-crime area for a bachelor without children would look quite different than a family of five in a lower crime ridden area. And regardless of the level of crime, a firearm owner must be able to discern with their own level of prudence what measure must be taken to respond to a violent threat in their home and to their family while preventing firearms from getting into the wrong hands.

Attention also MUST be paid to the fact that deciding to have a firearm for protection means having it readily accessible and most likely loaded. Having it locked and unloaded for example makes it more useful as a blunt force instrument in a high stress, high threat situation. With any luck the victim of a deadly encounter picks a safe they are able to pick up and throw at the assailant. They could rest easy knowing if they miss and the attacker steals the safe they won't be charged because the gun was technically locked up. How they'll prove this remains to be decided.

Another major concern I see is a clear case of victim blaming. The city of Lincoln is attempting to prevent adolescents from obtaining firearms in their household. In doing so, victims of theft will also be charged for their firearm being stolen if it's not in a safe approved by the city. This is not acceptable. They are the victim. And finally, my biggest issue would be generally philosophical. We want everyone to be safe. This is important. At what point do we stop? There are other threats in our society which statistically are just as significant as gun violence. Should we mandate all alcohol in a household be locked up due to the epidemic of teens getting access to alcohol and driving? Should parents be charged in these cases the same as if they supplied the alcohol? What about locking up car keys so underage kids aren't joy riding and killing people?

Although I personally agree firearms not in an adults' control should be locked up at home, this is not practically enforceable nor the place of city government to decide what condition a firearm is in or where it should be stored. This decision rests solely with the owner of the firearms. If the prospect of civil liability isn't enough of a deterrent to responsibly store a firearm, the city of Lincoln's proposed ordinance isn't going to sway them either.

I will be paying close attention to see what influence you have on this proposal to inform how I vote for you should you seek re-election.

Thank you for your service both to our City Council and in the Air Force. God bless you.

Respectfully,

Tyson Rung

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Tuesday, September 11, 2018 12:46 PM
To: Cyndi Lamm; Jon Camp; Jane Raybould; Carl B. Eskridge; Leirion Gaylor Baird; Roy A. Christensen; Bennie R. Shobe
Subject: InterLinc - Contact

City Council - Contact

Date : 9/11/2018 12:45:49 PM

name Carol McClain
address 2810 Sissel Rd.
city Lincoln
state NE
zip 68516
email Cent5318@aol.com
comments Thank you for listening to the Porter Ridge community and standing by the veto of the Krueger multi-story apartment development south of Pine Lake Road.

IP: 76.84.1.15

Form: <https://lincoln.ne.gov/city/council/contact.htm>

User Agent: Mozilla/5.0 (iPhone; CPU iPhone OS 11_4_1 like Mac OS X) AppleWebKit/605.1.15 (KHTML, like Gecko) Version/11.0 Mobile/15E148 Safari/604.1

Marilyn Dorf

4149 E Street
Lincoln, Nebraska 68510-4638
(402) 489-3104
cricketink@windstream.net

September 8, 2018

Mayor Chris Beutler
555 South 10th St., Suite 301
Lincoln, Nebraska 68508

Dear Sir:

Again, it has happened.

An innocent person and his innocent dog walking the streets of Lincoln, Nebraska, brutally attacked by a pit bull.

One of those dogs with meanness bred in its bones, and not properly contained by its owner.

An occurrence that has become so commonplace that it apparently no longer warrants inclusion in our daily newspaper, that I have seen, anyway. The Channel 10/11 account is enclosed.

How I ache for that man and his dog, my dog and I having I suffered the same trauma and pain nearly two years ago.

Yes, it truly is trauma. Have you ever experienced it? And the pain? Pain of a wound that takes nearly a year to heal?

And yet, pit bulls continue to be granted their freedom to roam the this city and to attack at will.

Sincerely,



Marilyn Dorf

cc: City Council Members ✓
Animal Control
Lincoln Journal Star