

DIRECTORS' ORGANIZATIONAL MEETING

Monday, January 14, 2019

555 S. 10TH STREET

BILL LUXFORD STUDIO

I. MINUTES

1. Approval of Directors' minutes from January 7, 2019

II. ADJUSTMENTS TO AGENDA

III. CITY CLERK

IV. MAYOR'S OFFICE

V. DIRECTORS CORRESPONDENCE

PLANNING DEPARTMENT

1. Administrative Approvals from January 1, 2019 through January 7, 2019
2. Action dated January 9, 2019
3. Final Action dated January 10, 2019

VI. BOARDS/COMMITTEES/COMMISSION REPORTS

1. ISPC - Raybould (12.13.18) *(1.10.19) carried over from January 7, 2019*
2. Parks & Rec - Baird (12.13.18) *carried over from January 7, 2019*
3. PRT - Lamm (12.20.18) *carried over from January 7, 2019*
4. WHJPA - Eskridge (12.27.18) *(1.07.19) carried over from January 7, 2019*
5. BOH - Shobe (1.08.19)
6. MAC - Shobe (1.08.19)
7. PBC - Camp, Raybould (1.08.19)

VII. CONSTITUENT CORRESPONDENCE

1. Proposed Porter Ridge Krueger Development, opposition - Larry Pelan
2. Proposed Porter Ridge Krueger Development, opposition - Bridgett Ojeda
3. Proposed Porter Ridge Krueger Development, opposition - David Ochsner
4. Proposed Porter Ridge Krueger Development, opposition - Patty & Charlie Lyster
5. Safe Storage of Firearms - Sydney Butler

VIII. MEETINGS/INVITATIONS

See invitation list.

IX. ADJOURNMENT



Memorandum

Date: ♦ January 8, 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 January 1, 2019 through January 7, 2019:

Administrative Amendment 18083, to Use Permit 80B, University of NE Technology Park, approved by the Planning Director on January 2, 2019, to split Lot 1, Block 2 into two lots, generally located at NW 1st Street and W. Highland Boulevard.

Administrative Amendment 18081, to Special Permit 16055, Cordner Court approved by the Planning Director on January 2, 2019, to show attached structures on Lots 6, 7 and 8, generally located at S. 55th Street and L Street.



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

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, January 9, 2019, 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, JANUARY 9, 2019

[Commissioner Beckius absent]

Approval of minutes of the regular meeting held December 12, 2018. ****APPROVED: 8-0; (Beckius absent)****

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

CHANGES OF ZONE AND RELATED PERMITS:

- 1.1a Change of Zone 18032, from R-3 (Residential District) to R-4 (Residential District) on approximately 1.23 acres, more or less, and from R-4 (Residential District) to R-3 (Residential District) on approximately 0.31 acres, more or less, on property generally located at North 102nd and O Streets.
Staff recommendation: Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
Planning Commission recommendation: APPROVAL: 8-0 (Beckius absent). Public hearing before the City Council is tentatively scheduled for Monday, February 4, 2019, 3:00 p.m.

- 1.1b Special Permit 18041, to allow for the development of 79 single-family attached lots with associated waivers, on property generally located at North 102nd and O Streets. ****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 revised conditions of approved identified in the staff report dated December 27, 2018, as agreed upon by both the applicant and staff: 8-0 (Beckius absent). Resolution No. PC-01625.
- 1.2 Change of Zone 18033, to declare 1600 O Street a local historic landmark, on property generally located at 1600 O Street.
Staff recommendation: Approval with Preservation Guidelines
Staff Planner: Stacey Hageman, 402-441-6361, shageman@lincoln.ne.gov
Planning Commission recommendation: APPROVAL: 8-0 (Beckius absent). Public hearing before the City Council is tentatively scheduled for Monday, February 4, 2019, 3:00 p.m.
- 1.3a Change of Zone 18034, from AGR (Agricultural Residential District) to R-1 (Residential District), on property generally located at 3700 South 84th Street.
Staff recommendation: Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Planning Commission recommendation: APPROVAL: 8-0 (Beckius absent). Public hearing before the City Council is tentatively scheduled for Monday, February 4, 2019, 3:00 p.m.
- 1.3b Special Permit 872J, to amend the Firethorn Community Unit Plan, to redevelop a 10.16 acre lot into 9 single-family dwelling lots, on property generally located at 3700 South 84th Street. ****FINAL ACTION****
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the conditions of approval identified in the staff report dated December 20, 2018: 8-0 (Beckius absent). Resolution No. PC-01626.

SPECIAL PERMIT:

- 1.4 Special Permit 18003A, to amend the Resolution for SP18003, to include 19,000 square feet of commercial space, on property generally located at 150 SW 14th Place. ****FINAL ACTION****
Staff recommendation: Approval
Staff Planner: Dessie Redmond, 402-441-6373, dredmond@lincoln.ne.gov
Planning Commission 'final action': APPROVAL, as set forth in the revised staff report dated December 28, 2018: 8-0 (Beckius absent). Resolution No. PC-01627.

2. REQUESTS FOR DEFERRAL:

STREET & ALLEY VACATION:

- 2.1 Street & Alley Vacation 18005, to vacate P Street stub from the east right-of-way line of 70th Street to approximately 100 feet to the east, located adjacent to Lot 83 I.T., generally located at North 70th and P Streets.
Staff recommendation: No Recommendation
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
Planning Commission granted the request of the applicant to place this application on hold until further notice.

3. ITEMS REMOVED FROM CONSENT AGENDA: None.

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:

CHANGE OF ZONE:

- 4.1 Change of Zone 05061C, to amend the Planned Unit Development (PUD) including the site plan and phasing, and to add excavating as a conditional use, on property generally located at South 1st Street and West Denton Road.
Staff recommendation: Conditional Approval
Staff Planner: Dessie Redmond, 402-441-6373, dredmond@lincoln.ne.gov
Planning Commission recommendation: APPROVAL: 8-0 (Beckius absent). Public hearing before the City Council is tentatively scheduled for Monday, February 4, 2019, 3:00 p.m.

TEXT AMENDMENT:

- 4.2 Text Amendment 18016, to amend Section 13.048 of the Lancaster County Zoning Regulations relating to Wind Energy Conversion System.
Staff recommendation: Approval of Recommended Alternative
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov
Planning Commission recommendation: APPROVAL OF RECOMMENDED ALTERNATIVE: 7-1 (Harris dissenting; Beckius absent). Public hearing before the County Board is pending at this time.

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

Adjournment: 3:28 p.m.

PENDING LIST: *Special Permit 18045, to allow for a County AG (Agricultural District) CUP (Community Unit Plan), consisting of 148.49 acres, more or less, for 9 single family acreage lots on property generally located at North 14th Street and Rock Creek Road.*

Annexation No. 18003, to annex approximately 24.1 acres, more or less, on property generally located at 7420 Yankee Hill Road.

Change of Zone No. 18015, from AGR (Agricultural Residential District) to R-3 (Residential District), on property generally located at 7420 Yankee Hill Road.

*Special Permit No. 18022, for a 55 lot CUP (Community Unit Plan), with waivers to allow sanitary sewer to flow opposite street grades, block length, pedestrian easements, lot lines radial to streets, 2 to 1 side slope for detention embankments, and sidewalks along one side of a street, on property generally located at 7420 Yankee Hill Road. **FINAL ACTION***

PLANNING COMMISSION FINAL ACTION NOTIFICATION

TO: Mayor Chris Beutler
Lincoln City Council

FROM: Geri Rorabaugh, Planning

DATE: January 10, 2019

RE: Notice of final action by Planning Commission: January 9, 2019

Please be advised that on January 9, 2019, the Lincoln City-Lancaster County Planning Commission adopted the following resolutions:

Resolution No. PC-01625, approving SPECIAL PERMIT 18041, to allow for the development of 79 single-family attached lots with associated waivers, on property legally described as Outlot J, and a portion of Outlot I, Dominion at Stevens Creek Addition, located in the SW 1/4 of Section 24-10-7, Lincoln, Lancaster County, Nebraska, generally located at North 102nd and O Streets;

Resolution No. PC-01626, approving SPECIAL PERMIT 872J, to amend the Firethorn Community Unit Plan, to redevelop a 10.16 acre lot into 9 single-family dwelling lots, on property legally described as Lot 3, Firethorn 28th Addition, located in the SW 1/4 of Section 2-9-7, Lincoln, Lancaster County, Nebraska, generally located at 3700 South 84th Street; and

Resolution No. PC-01627, approving SPECIAL PERMIT 18003A, to amend the Resolution for SP18003, to include 19,000 square feet of commercial space, on property legally described as Lots 1-7, Block 1, Earl Carter Addition, located in the NE 1/4 of Section 28-10-6, Lincoln, Lancaster County, Nebraska, generally located at 150 SW 14th Place.

The Planning Commission action on these applications 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. SP18041, SP872J, SP18003A). The Resolution and Planning Department staff report are in the "Related Documents" under the application number.

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Monday, January 07, 2019 2:06 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 : 1/7/2019 2:06:05 PM

name Larry Pelan
address 7328 S. 29th Street
city Lincoln
state NE
zip 68516
email lpelan2@neb.rr.com
comments The mixed use development Krueger Development wants to build at 29th and Pine Lake is not appropriate for the area. Krueger is wasting your time and the tax payers dollars by continuing to try to finagle some way to get this mixed used property built. It has been considered once and turned down. That should be the end of it.

IP: 72.46.56.211

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

User Agent: Mozilla/5.0 (Windows NT 10.0; WOW64; Trident/7.0; rv:11.0) like Gecko

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Tuesday, January 08, 2019 7:03 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 : 1/8/2019 7:02:53 PM

name Bridgett Ojeda
address 2833 Lawson Dr.
city Lincoln
state NE
zip 68516
email hayes_bridgett@hotmail.com
comments Good day, City Council.

I write as a concerned citizen in regards to Mr. Krueger's proposal to build apartments in the Porter Ridge neighborhood. The infrastructure is not built to handle the increased traffic at the proportions the apartment complex would require. Furthermore, the aesthetics for a building this tall abutted directly to residential property is a nuisance. I am fine with the development to remain office/commercial.

Thank you for your time and taking this into consideration as you proceed in making this important decision.

Regards,

Bridgett Ojeda

IP: 104.218.66.56

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

User Agent: Mozilla/5.0 (iPhone; CPU iPhone OS 12_1_2 like Mac OS X) AppleWebKit/605.1.15 (KHTML, like Gecko) Version/12.0 Mobile/15E148 Safari/604.1

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Wednesday, January 09, 2019 2:40 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 : 1/9/2019 2:39:54 PM

name David A. Ochsner
address PO Box 402
city Nelson
state NE
zip 68961
email dochsner.cb@windstream.net
comments City Council Members:

I am respectful of the planning process. Krueger Development is not respectful of the planning process or anyone but himself. He knows how to manipulate others and abuse power. His group will never go away and adhere to the zoning in place in the Pine Lake Road and 29th Street (UP100D) location. As a homeowner on the north side of Porter Ridge Road, I and others are being taken for nothing but mere "chumps" in the Krueger game. By the way, so are the Planning Commission, the City Council and the Mayor. We are all chumps. Pawns in his game.

I believe Krueger will continue to ask for a variance to get what he wants. I ask for each of you, as an individual, to come to my townhome at 2818 Porter Ridge Road, to stand on my deck facing north and see how high the height variance is, that is being requested will look. Also, considering the 24 hour / 7 days per week apartments, rather than 8 hour / 5 days per week office/medical. Well, it will be higher than the proposed Trump's Wall on the Mexican border. Any takers for a look. Come see. You will be in for a shock. A flat blueprint does not do justice. Truly disgusting.

Have you seen the apartments where Krueger has his office on Yankee Hill Road around 17th Street on Cody Lane? They are only 3 stories tall, not the proposed 4 stories for this project. Go look. They would be hideous and tall, when squeezed into our tiny neighborhood. So, add another story to that and put it in my backyard. It's only 25 feet to the fence. Would you want Krueger's Wall in your backyard? I don't, but hey, the Planning Commission is "right on it" saying it is "great". Will do wonders for the City. It is not great.

Krueger has changed his design from last time. The only plus is putting the air conditioner units on the roof. The balconies that were gone before are now back, facing the south side. The building remains very tall. Why were lots ever zoned as currently states? So many others have made financial decisions based on unreliable zoning. The 17 units that will face Krueger's Wall have an assessed value of some \$3.4 million. For what purpose do we have zoning? So someone who doesn't live there can request a change to meet their vision and greed later? I got it.

His underground parking is being designed to sit next to a swamp / retention pond. That's a great idea. Once you give him the variance, he will be back and say he needs to move the parking to a higher floor, so just make it 5 stories instead of 4 stories. Just another variance change. But not to worry, you will do it. You can all do what you are going to do, because Krueger knows best for all. Build the Krueger Wall. One guy, who will never live in this neighborhood, will dictate to all of you his greed and desires until you comply. Then all of us lucky ones get to live his dream. Perfect. Just perfect.

I hope you vote this down again and again and again. Krueger will come back forever and again. He will never go away. Ever. It is his nature. He controls many properties in Lincoln. He controls many individuals in Lincoln. Pure greed and madness. Sad, just so very sad.
- Respectfully submitted by David A. Ochsner at 2818 Porter Ridge Road, as a second home. Primary address is at PO Box 402, Nelson, NE 68961

IP: 173.184.209.58

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

User Agent: Mozilla/5.0 (Windows NT 6.1; WOW64; Trident/7.0; rv:11.0) like Gecko

Angela M. Birkett

From: Patty & Charlie Lyster <cplyster@gmail.com>
Sent: Thursday, January 10, 2019 12:04 PM
To: Council Packet; Mayor; Planning
Subject: Fwd: Veto

Attn: Each City Council Member

Please review the forwarded email which we sent to Mayor Beutler following the City Council's passage of Krueger Development's project for the location at 29th and Pine Lake late last summer. Krueger is now set to resubmit a plan to the Planning Commission later this month which may propose some alterations to the rejected plan from last year, but be substantially the same. Please note the previous plan was rejected by a vote of 7-2 by the Planning Commission but passed by the council 4-3 after some light discussion and suggestions. We are not sure whether the Planning Commission conclusion was considered then, and we have little confidence that it's recommendation would be considered by the council now. The project remains completely out of scale for our neighborhood, and we are disappointed that the council failed to recognize this. We ask the council to reconsider their votes after they have looked at the area in person during the times we suggest in our previous email to Mayor Beutler.

----- Forwarded message -----

From: **Patty & Charlie Lyster** <cplyster@gmail.com>
Date: Thu, Aug 23, 2018 at 3:18 PM
Subject: Veto
To: <mayor@lincoln.ne.gov>, <joncamp@lincolnhaymarket.com>

Please consider a veto of the resolution allowing the construction of two high rise apartment buildings to be located between 28 and 29 Streets just south of Pine Lake Road. This project was debated and rejected by the Planning Commission after careful and thoughtful consideration by the commission. The developer's plan removed one story from the 5 story building to be located near 29th Street, and was able to avoid re-submission to the Planning Commission. We watched the City Council meeting regarding the direct submission to the council by the developer and we do not think the council gave much thought to their decisions to allow this development. The suggestion of planting hybrid willow trees (to mask the buildings) that would soon grow to 75 feet was laughable. These trees would be even higher and closer to the residents of the townhouses making a worse visual wall than the buildings themselves and the chances of a willow tree growing to this height before dying is low.

The area is supposed to be a buffer between the commercial buildings on 29th Street and the residences to the south. Putting a pool, clubhouse and two four story 50 ft high buildings in this narrow area completely eliminates this planned buffer. This developer has had two other waivers in the past from the council to allow DuTeau's building and car lots as well as the building of the Colorful Minds child daycare facility, which has increased the traffic in the area considerably. We live on 29th Street and now avoid using the street to reach Pine Lake. The main entrance to two apartment buildings would really increase the traffic in the area, making alternative routes even more heavily used.

The buildings proposed are completely out of scale with the neighborhood and the size of the parcel where they are planned. We urge you to drive to the area and look at the narrow plot and proximity to the town homes to the south. Be sure to come during the school traffic, the daycare traffic and the exit from Starbuck's drive thru lane. It is a very congested area to drive through.

Some on the council believed that the developer was to be praised for making compromises, but we point out that the developer was the one who initially made the plan, then has abandoned it and wants to have his third and fourth waiver from the zoning requirements. It is the residents who should be respected by the council, and their reliance on what would be built next door when they chose to locate their homes there. We believe the developer has betrayed a promise, and "compromising" his plan was not particularly praiseworthy.

Thank you for your consideration of our thoughts.

Charles and Patricia Lyster
7340 South 29th Street
Lincoln, NE 68516

Angela M. Birkett

From: Sydney Butler <sydneyraebutler@gmail.com>
Sent: Thursday, January 10, 2019 1:35 PM
To: Bennie R. Shobe; Cyndi Lamm; Carl B. Eskridge; Jon Camp; Jane Raybould; Leirion Gaylor Baird; Roy A. Christensen
Subject: Safe Storage

Hello Council members,

I am writing because of another story I saw today of another irresponsible gun owner that left their firearm in their car. Surprise! Someone stole it. Now there is another gun out there in the hands of someone that should, presumably, not have it. And we can't hold the irresponsible gun owner accountable for being irresponsible with their deadly weapon. I hope you'll all remedy this situation soon. Its happening almost weekly. I'm terrified for the safety of our communities. Here's a link to the most recent incident.

<https://www.facebook.com/lincolnpolicedepartment/photos/a.263236836852/10155610488296853/?type=3&theater>

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Sydney Butler

Pronouns: she/her/hers

P: 402.450.1085