

DIRECTORS' ORGANIZATIONAL MEETING

Monday, February 11, 2019

555 S. 10TH STREET

BILL LUXFORD STUDIO

I. MINUTES

1. Approval of Directors' minutes from February 4, 2019

II. ADJUSTMENTS TO AGENDA

III. CITY CLERK

IV. MAYOR'S OFFICE

V. DIRECTORS CORRESPONDENCE

VI. BOARDS/COMMITTEES/COMMISSION REPORTS

None to Report

VII. CONSTITUENT CORRESPONDENCE

1. City Streets - Gary Hahn
2. Proposed Krueger Development, opposition - Connie Dys
3. Proposed Krueger Development, opposition - Gene Kelley
4. Proposed Krueger Development, opposition - Ron Olds
5. Proposed Krueger Development, opposition - Barbara Borgman
6. Proposed Freeze on Impact Fees, opposition - Leonard Wilsey
7. Proposed Transportation Sales Tax, opposition - Dennis Wertz
8. Proposed Krueger Development, opposition - Ed Harris
9. Firearms/Safe Storage Task Force - Rhett Taylor
10. Proposed Krueger Development, opposition - Sarah Duer
11. Proposed Krueger Development, opposition - Bonnie Collins
12. Proposed Krueger Development, opposition - Jane Hanson
13. Road Treatment Referral - Megan Guthrie
14. Neighborhood Grants - Mike McGuire
15. Proposed Krueger Development, opposition - Oscar Pereira
16. Proposed Krueger Development, opposition - Nancy Meyerle
17. Proposed Krueger Development, opposition - Julie Skrabal
18. Proposed Krueger Development, opposition - Jane Gettman
19. Proposed Krueger Development, opposition - Susan Lukasiewicz
20. Proposed Krueger Development, opposition - Deb Lwanski
21. Proposed Krueger Development, opposition - Senator Kate Bolz
22. Proposed Krueger Development, opposition - Ramona Nelson
23. Parking Ordinance - LJ Carr
24. Proposed Krueger Development, opposition - Alyssa Larsen
25. Proposed Krueger Development, opposition - Carol McClain
26. Proposed Krueger Development, opposition - Jane Peek
27. Proposed Krueger Development, opposition - Douglas Gerlach
28. Proposed Krueger Development, opposition - Nancy Price
29. Proposed Krueger Development, opposition - William Blake, Blake Austin Law Firm
30. Proposed Krueger Development, opposition - Charlene Prai

VIII. MEETINGS/INVITATIONS

See invitation list.

IX. ADJOURNMENT

Angela M. Birkett

From: Gary Hahn <gary.l.hahn007@gmail.com>
Sent: Monday, February 04, 2019 1:02 PM
To: Jon Camp
Subject: New Building in Downtown Lincoln

Jon,
I found out that there is a vote today for the new building in downtown Lincoln. I think the vote should be no. Tif money being used again. This money should be used for our streets in Lincoln. When I need a furnace or Air Conditioner for my home I don't buy a new car. Our streets are the worst I have ever seen and I will be 77 shortly. They say the Wheel Tax is not enough and they have been using it. I wonder where. What little has been done on the streets to reach this condition cannot be depleting the funds. Also, if that is not enough money someone had better be negotiating with contractors and set a deadline on the project. Don't tear everything out and let it sit. Put the crews on it to finish then move on. They fixed 70th street from "O" to "A" street last year. It already has issues. They did not fix it they patched it. It still needs to be fixed. Tear out and replace like they did years ago.

The salt brine used I'm sure is expensive. It also breaks down concrete and destroys peoples cars. My driveway and garage has never had an ice melt on it and is pitted from the treatment used on our streets. Why don't they use gravel like they did years ago in key areas i.e. intersections etc. Put it down and let it on streets until Spring then pick it up and haul it to the storage sites to be added to and reused next year.

They want more money? For what?

Thank you for listening.

Gary L. Hahn

Angela M. Birkett

From: Connie Action Electric <actionelectric@neb.rr.com>
Sent: Monday, February 04, 2019 1:59 PM
To: Council Packet
Subject: South Ridge Village Apartments

I am strongly opposed to the Two 50 ft. apartment buildings that are being proposed to be built directly behind my backyard. I live at 2826 Porter Ridge RD. When my husband and I bought this townhome we were told that the land directly behind our lot was going to consist of office/medical buildings, which was perfectly fine with us. Now Mr. Krueger is proposing to build two 50 ft apartment buildings.

First of all I do not believe this is keeping with the aesthetics of the area, and imagine a 4 story building 50 ft. plus in your backyard!! I invite each and every one of you to drive to this area and take time to examine how this really will look and affect the homeowners in this area. It looks much different in real time than on the prints that have been submitted. I see no reasonable explanation for a building of this size to be built in this small area and I would suspect that you would not like this in your backyard either!! Why would you not construct such a building where it does NOT back up to someone's backyard in a residential area?

The Office/Medical Buildings proposed would be perfectly fine with me. These are not occupied 24/7. When we would like to sit on our decks in the spring & summer in the evening we now will have people in apartments looking directly into our decks, windows, and yards!! Our privacy will be destroyed! VERY DISAPPOINTING!!!! I guess zoning means nothing! The Planning Commission denied the height increase twice, 6-1 and 7-0. I guess that means nothing as well!!

This must be DENIED ONCE AND FOR ALL!!!!

Connie Dys
2826 Porter Ridge RD

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Monday, February 04, 2019 2:52 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 : 2/4/2019 2:52:22 PM

name Gene Kelley
address 2830 Lawson Drive
city Lincoln
state NE
zip 68516
email genekelley1976@yahoo.com
comments I'm urging you to vote against the proposed zoning change that Krueger Development is asking the city to change at the corner of 29th Pine Lake. I'm not against Krueger building at that location according to the guidelines of the zoning regulations that are in place currently. If you were in my shoes would you like a big building with people living in the building looking down on you 24-7? I purchased my property knowing that at some time a three story medical building might be built in that area not a four story apartment building. I appreciate all that you do for the people that you represent and the Great city of Lincoln.

Thanks
Gene Kelley

IP: 174.238.144.54

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

User Agent: Mozilla/5.0 (Windows NT 6.3; Win64; x64; rv:64.0) Gecko/20100101 Firefox/64.0

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Monday, February 04, 2019 3:25 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 : 2/4/2019 3:25:14 PM

name Ron Olds
address 2854 Lawson Drive
city Lincoln
state NE
zip 68516
email olds.ron@gmail.com
comments On February 11, 2019, Krueger Development will appeal to you the 7-0 denial decision of the City Planning Commission of his proposed fifty-foot tall mixed-use apartment buildings he wishes to build near 27th and Pine Lake Road. I live in the neighborhood just south of the proposed development, and I ask you to deny Mr. Kreuger's appeal.

The Planning Commission heard the many voices in opposition to the project and the reasons therefore, and all agreed that the planned units were too tall, and too invasive of the privacy interests of the adjoining homeowners. They also listened to the fears of nearby homeowners (of which I am one), who fear that the construction of the apartments will drive down the market values of their homes, which were purchased based on the designation of the target land in City documents as being intended for office buildings.

Please give value to the opinions of the Planning Commission and myself and my fellow neighbors who believe that this proposed project is wrong for this location.

IP: 104.218.69.74

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

User Agent: Mozilla/5.0 (Macintosh; Intel Mac OS X 10.13; rv:64.0) Gecko/20100101 Firefox/64.0

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Monday, February 04, 2019 4:57 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 : 2/4/2019 4:57:29 PM

name Barbara Borgman
address 2807 Porter Ridge Road
city Lincoln
state NE
zip 68516
email beb.snyder@juno.com

comments In regards to Permit 100D

As the world is today there is very little privacy left. We always felt our homes were our sanctuary. If the zoning law is changed it will take what little privacy we have left away if zoning is changed and apartments are built. It will be like the air raids of World War 2, when you had to pull all of your shades evening and night for blackout. I would not like living that way 24/7 7 days a week.

I ask you to keep the zoning law as commercial and not change. That keeping our homes, patios and backyards private and enjoyable.

IP: 151.213.41.109

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

User Agent: Mozilla/5.0 (Windows NT 6.1; Win64; x64; rv:65.0) Gecko/20100101 Firefox/65.0

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Monday, February 04, 2019 5:41 PM
To: Jon Camp; Jane Raybould; Carl B. Eskridge; Leirion Gaylor Baird; Roy A. Christensen; Bennie R. Shobe
Subject: InterLinc - Contact

City Council - Contact

Date : 2/4/2019 5:41:08 PM

name Leonard Wilsey
address 1626 Hilltop Road
city Lincoln
state NE
zip 68521
email lwilsey@gmail.com
comments You are wiling to put a freeze on impact fees 'The proposal also seeks to freeze for five years the impact fees paid by developers on each new home or business and used to help fund wider streets, new parks, and water and sewer lines to new-growth areas of the city.' how about putting a freeze on raising the wheel tax while the 1/4 cent sales tax is in effect?

IP: 104.218.65.48

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

User Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/71.0.3578.98 Safari/537.36

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Monday, February 04, 2019 11:08 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 : 2/4/2019 11:07:58 PM

name Dennis Wertz
address 7208 Shirl Dr.
city Lincoln
state NE
zip 68516
email nebden1@hotmail.com
comments Can't support sales tax increase for streets because as I understand it, 25% goes for new construction. Our streets are in such poor shape, and have been for a long time, it is my opinion all funds should go to current street repair.

IP: 97.98.129.173

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

User Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/71.0.3578.98 Safari/537.36

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Tuesday, February 05, 2019 6:39 AM
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 : 2/5/2019 6:39:27 AM

name Ed Harris
address 7419 S. 21st St.
city Lincoln
state NE
zip 68512
email edwardnharris@yahoo.com
comments Dear City Council Feb. 5, 2019

My name is Ed Harris and I am president of the Vavrina Meadows Homeowners association which is located just west of 27th, east of 14th and just south of Pine Lake. Southpointe Mall and the commercial buildings next to the Porter Ridge West townhomes are our primary commercial/economic hub in the area.

I am writing to let you know that I am opposed to the change of zoning for the vacant lot between the Porter Ridge West Townhomes and the strip mall on the south side of Pine Lake Rd. Current zoning is for commercial buildings (office/medical) and Krueger Development wants this changed to "mixed" commercial and residential. The plan is to install a 45-50' structure with commercial on the first floor and residential above it. Here are some reasons why this structure is bad for this particular area.

- The planning commission as already looked at initial plans and revised plans from Krueger Development on this project and has rejected them twice.
- The residential property owners have known that the empty lot was for commercial and bought homes in the area expecting the city to follow through on their initial zoning law. If it is changed, this is a huge disservice to the very people you were elected to represent.
- A building that tall at that location will make a huge impact on the skyline and look of this whole area. The lot is set near the top of a hill and the planned tall structure that Krueger Development wants to build will be by far the tallest in the area and overshadow the current commercial buildings on the north (strip mall) and cast a long shadow on the residential neighborhood on the east and south. It will look out of place for this area. By comparison, it will be taller than the new Scheel's building which is built in a lower area.
- This building will decrease the value of the residential homes adjacent to it. These homeowners bought their homes not expecting to see a tall wall of windows. We have a similar issue in Vavrina Meadows concerning one of Krueger's buildings. A representative from the company met with the VMHOA board several years ago with plans for residential and "mixed use" buildings on 14th and Vavrina. The board requested that Krueger Development rearrange the location of the apartment building so that the residents living on 16th street will not have a wall of windows in their backyards. Those requests fell on deaf ears and now those residents are living next to a wall of apartment windows in a suburban neighborhood.

There may also be other issues such as parking which I am not an expert on, but it is sometimes tough to find a spot to park at the strip mall with the current parking arrangements. In conclusion, please listen to the advice of your planning commission and the residents of the property owners adjacent to this vacant

lot of land. Mixed use buildings are probably a good idea, but they don't fit everywhere and certainly not in this little vacant lot next to the Porter Ridge West Townhomes.

Sincerely,

Ed Harris

Vavrina Meadows HOA president.

IP: 104.218.67.178

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

User Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/72.0.3626.81 Safari/537.36

Angela M. Birkett

From: Rhett D <rhettaylor@gmail.com>
Sent: Tuesday, February 05, 2019 9:57 AM
To: Tom K. Casady; Mayor
Cc: Coby Mach; dtl@klin.com; 1011 News Lincoln; scott@kfab.com; Chris@kfab.com; Cyndi Lamm; Jon Camp; Jane Raybould; Carl B. Eskridge; Leirion Gaylor Baird; Roy A. Christensen; Bennie R. Shobe
Subject: Re: Firearm Safe Storage Task Force

Mr. Casady,

Last week I contacted you seeking clarity on the Mayor's Task Force on safe storage of firearms. I asked about the scope of the Task Force and I had presumed that such a team would generally be stood up with a charter document (PMBOK format, etc.) including a Problem Statement and Scope Statement. All you have provided were the five, short bullet points which were provided to the media. I'm left to conclude that the project is either starting off with a hazy mission statement based on "concerns" raised before the city council, and that Lincoln city Task Forces are not as organized as I had envisioned, or the full project details are being kept from the public.

More problematic, I had asked you for the members of the Task Force and the selection method you used to pick those members. You did not respond except to include a hyperlink to the local media stories. The stories (and presumably the city's press release) did not list all seventeen members, but only used phrases such as "a public school official" or "members of local nonprofits". You also said that you "*...did not solicit, and do not have, curricula vitae or resumes for the members.*"

I have now been forwarded the full list of the Task Force members (pasted below), and it raises additional questions about the objectivity of this process. Only a couple minutes of googling or checking public databases shows that the student representative on the task force appears to be closely related to Amada Gailey of "Nebraskans Against Gun Violence", a group which already has two members on the Task Force. Another representative has a public twitter feed full of anti-Second Amendment / pro-gun control hashtags and retweets, and gun storage mandate advocacy.

To be clear, I'm perfectly fine with citizens being passionate about and advocating for what they think is best in terms of public policy, so I am not writing about the Task Force members' political views, but – again – I am asking for clarity about your selection methodology and what you could have done to ensure a blend of views. How did you select these members without knowing their qualifications? How did you come about the names? In a city with tens of thousands of university students, how did you happen to pick that one student representative on the Task Force? Was it through word of mouth, or referral to you? Did you use any methods to make randomized selections to ensure balanced cross-section of society? Did you know the student representative personally in advance, or was she referred to you by someone else? If so, who referred her? Were any communications about the Task Force membership, or member referrals, made to you at your [.ne.gov](mailto:ne.gov) e-mail address, which are subject to public records requests and can be shared with me?

You keep stating or implying in your responses that I seem "concerned that that the deck is stacked" with the task force already. Those are not words that I have used. In fact, I started off simply asking questions about why the Task Force did not include members of the Nebraska Firearms Owners Association, any other local or state gun rights groups, or individuals who teach firearms safety to youth such as NRA certified instructors, high school shooting coaches, or Game and Parks employees. Your vague and incomplete answers have only made matters murkier, to the point where it appears that you have very different definitions of Public Service and transparency than I do.

Without more clarity about how you selected the Task Force members and why you didn't attempt to create a balanced group, the "recommendations" of the group – whatever they might end up being – are already tainted. I would call on you again to please re-start the process by transparently selecting a team which includes advocates with different perspectives, parents who have safely raised their children around firearms and can speak to all aspects of good parenting rather than just physical protections, and youth firearm safety educators.

Thank you,

Rhett Taylor

-----TASK FORCE MEMBERS-----

John Neal, Lincoln Public Schools

Jim Davidsaver, Lancaster County Emergency Management Capt.

Capt. Jason Stille, Lincoln Police Department

Rose Hood Buss, The HUB

Heather Talbott, Trauma Program Manager, Bryan Health

Dr. Dave Miers, Mental Health Services, Bryan Health

Teresa Clark, Big Shots

Bennie Shobe, Lincoln City Council

Chief Deputy Todd Duncan, Lancaster County Sheriff's Office

Officer Ben Pflanz, Lincoln Police Department

Melody Vaccaro, Nebraskans against Gun Violence

Camille Iacono, Student

Emily Killham, Nebraskans against Gun Violence

Alicia Henderson, Attorney

Sara Hoyle, Lancaster County Human Services Administrator

Brian Baker, Lincoln/Lancaster County Health Department

Bryan Seck, Prosper Lincoln

On Thu, Jan 31, 2019 at 11:59 AM Tom K. Casady <TCasady@lincoln.ne.gov> wrote:
Mr. Taylor,

With regard to each of the questions in your most recent email:

1. We contacted the law firm here in Lincoln that represents the NRA's interests, and asked that firm to provide us with the names of two Lincoln residents who could be invited to serve on the committee to represent the viewpoints of the NRA. They declined. We did not contact any other associations or organizations of firearms owners. We turned to the NRA because they were the most well-known and we already had been in dialog with their representatives on other issues previously.

2. The names and affiliations of the members were [published](#) in the local media when the task force was announced. I did not solicit, and do not have, curricula vitae or resumes for the members.
3. I have already provided you with the Mayor's charge to the task force. There is nothing in that charge that would preclude the task force from making recommendations pertaining to training and education as it may pertain to child access to firearms or safe storage of firearms. I would be very surprised if they do not. The Mayor did not want a task force to examine other issues pertaining to firearms, but rather those issues described in the charge to the committee.

Tom Casady

From: Rhett D <rhettaylor@gmail.com>

Sent: Thursday, January 31, 2019 9:36 AM

To: Tom K. Casady; Mayor

Cc: 1011 News Lincoln; Coby Mach; Bennie R. Shobe; Carl B. Eskridge; Cyndi Lamm; dtl@klin.com; Jon Camp; Jane Raybould; Leirion Gaylor Baird; Roy A. Christensen

Subject: Re: Firearm Safe Storage Task Force

Mr. Casady,

Thank you for your prompt reply.

I know my email was very long, but at your convenience I would appreciate a response from your office, or the Mayor's office, answering the questions I posed.

Why was the NFOA not contacted for representation on the Task Force, especially considering the presence of two members of an organization which has a history of physical and verbal attacks on supporters of firearms rights or their property?

Will the Mayor's office announce the members of the task force and their credentials before the project begins?

Why is the scope of the Task Force so narrowly limited to access and storage, when training and education has been so successful as proven by decades of good work by the likes of Nebraska Game and Parks and certified NRA youth instructors?

Almost all other public health issues are combatted — correctly — through training and education. The response to the opioid crisis is to inform and educate, not to mandate that all households store prescription painkillers in a steel vault.

Perhaps most of these questions are better answered by the Mayor, but I'm sure many other Lincoln residents would like more transparency and explanation. It seems like the well has been poisoned before the process has even begun, by standing up a Task Force without more information on its composition and with a strangely narrow scope.

Thanks again,

Rhett

On Thu, Jan 31, 2019 at 8:11 AM Tom K. Casady <TCasady@lincoln.ne.gov> wrote:

Mr. Taylor,

Thank you for your email, and for sharing your viewpoint and information. I am familiar with the accidental death statistics you cite. I am also familiar with the data we have in Lincoln on deaths and injuries of children associated with firearms. I'm sure the task force will be examining these data.

I understand your concern that the "deck is stacked." I disagree, but I can appreciate your skepticism. I have worked with most of the 17 members in varying capacities for quite some time, and suffice it to say that I believe there will be considerably more diversity of thought than you do. Time will tell. The specific charge of the Mayor to the task force was published in the news release, and accurately reported in the local newspaper:

- Examine any available local data on access to firearms by children and the theft or misuse of firearms to determine the extent to which firearm storage may be a factor.
- Study the existing research literature about safe storage practices and the prevention of child access to firearms.
- Review strategies used in other communities.
- Identify helpful practices that are currently in place in Lincoln, or that could be considered for implementation here.
- Develop recommendations on how those helpful practices could be adopted, enhanced, or encouraged locally.

It appears to me that you have concluded the task force will inevitably recommend some sort of city ordinance mandating secure storage of firearms. I do not share that view, but again, time will tell. If such a recommendation were to come forward, the process of adopting a city ordinance requires public notice, three readings, a public hearing, and ultimately an affirmative vote by the majority of the city council. There would be ample opportunity for citizens to express their opinions to their elected officials.

Best regards,

Tom Casady
Director of Public Safety
[575 S. 10th Street](#)
[Lincoln, NE 68508](#)
tcasady@lincoln.ne.gov

From: Rhett D <rhettaylor@gmail.com>
Sent: Wednesday, January 30, 2019 10:36:46 PM
To: Mayor; Tom K. Casady
Cc: Cyndi Lamm; Jon Camp; Jane Raybould; Carl B. Eskridge; Leirion Gaylor Baird; Roy A. Christensen; Bennie R. Shobe; dtl@klin.com; Desk@1011now.com
Subject: Firearm Safe Storage Task Force

Tom Casady
Director of Public Safety
[575 S. 10th Street](#)
[Lincoln, NE 68508](#)

Dear Director Casady,

I hope this e-mail makes it to you. I am guessing at your e-mail address. If I have it wrong, I trust that the Mayor's office or one of the City Council members will forward it to you.

I am writing regarding the Mayor's "Child Access to Firearms / Safe Storage Task Force." I understand that you are responsible for organizing the group and suggesting members to the Mayor.

A member of the Nebraska Firearms Owners Association (NFOA) recently wrote to the City Council expressing concern about the lack of inclusiveness on the Task Force. You were asked to respond back, and you stated that:

"Although I do not know everyone well enough to tell you how many of the members own firearms, I would not be at all surprised if several are gun owners—as gun ownership is rather common in Nebraska. The group includes the co-owner of a retail firearms business. I also personally know four of the members who have been firearms owners for their entire adult life, and have extensive training and experience with firearms. Of those, two are SWAT team commanders who have exceptional experience and training.

There are two representatives from Nebraskans Against Gun Violence on the 17-member task force. We reached out to the NRA for two representatives, through the law firm in Lincoln that represents their interests. They declined."

Based on that response, I would like to also express some thoughts about the way this Task Force has been stood up, the judgment exercised in selecting members, the lack of diversity on the Task Force, and the lack of transparency thus far in the process.

The first issue that surprises me is how quickly you seemed to give up when searching for Task Force members interested in firearm ownership rights and constitutional protections. While I have the greatest admiration for any law enforcement officers on the Task Force, and trust that they will provide good input with regard to the mechanical aspects of firearms, as well as the realities of criminal use of weapons, a career in law enforcement does not always equate to the ability to address firearm rights from the perspective of all owners and users.

I am not surprised that the NRA did not want to spend financial resources on sending attorneys to a nascent, city government task force. But did you truly stop there without considering other members? Why did you not reach out to NFOA for input?

By comparison, you put two members of Nebraskans Against Gun Violence (NAG-V) on the Task Force. I do not know who those members are (which speaks poorly about the Mayor's transparency so far in the process) but recall that at least two members of NAG-V have gone so far as to protest outside of an NRA lobbyist's house in Virginia, and one was charged with destruction of property. (Refs. 1, 2) I appreciate (non-destructive) political discussion but this is a group that is hardly apolitical. If you were going to put political activists on the Task Force, why did you decide to leave it unbalanced?

My second issue is with regard to the charter of the Task Force itself. To the best of my knowledge no charter documents have been publicized clearly explaining the purpose and scope of this undertaking. There have only been a

few vague references to “concern over youth access to firearms” in a press release from the Mayor’s office. In your response to the NFOA member I referenced above, you continued:

“The Mayor’s charge to the committee is broad, and there are many potential options for recommendations other than passing laws. Even if the task force were to recommend some kind of change in the City ordinances, this would require that a council member introduce an ordinance, a public hearing, and a majority vote of the council.”

Does this mean that the Task Force will only study access to firearms and safe storage, and not begin with an assessment of whether the “concerns” (again, the Mayor’s term) are valid? Concern is an emotion and not necessarily rooted in facts. What are the actual behaviors that the Mayor and you believe can be eliminated? Suicide? Homicide? Accidental shootings? Those are tragic and emotional issues indeed. I know of people in our city who have heard an ambulance siren and felt the need to call their child at school to see if there had been a mass shooting. But such fears and phobias can lead to irrational responses or overreaching public policies. According to the Washington Post, the chance of an American school student being shot and killed in school on a given day is one in 614 million. (3) According to the Centers for Disease Control and Prevention, the leading cause of death for children and young people is “unintentional injuries”. This is true from one year old through middle age. In the late teen years through young adulthood, suicide and homicide start to become a factor, falling behind various diseases later in life. (4) When the CDC goes deeper into the data and parses out sub-categories of unintentional injuries, you will see that more children ages 1-14 die in the United States from unintentional drowning than from firearm homicide, firearms suicide and unintentional firearm discharge all combined. (5) Firearm deaths only surpass accidental drowning when the CDC moves to the next age range of 15-24, but the majority of that range includes ages during which the victims or perpetrators were of the age of majority and could buy a firearm themselves; not pertinent to a discussion of “safe storage” and “reducing access of firearms to children.”

I mention those statistics not to make a political statement, but again ask you about the scope of the task force and the selection of its members. If I would have appeared before the City Council recently, citing statistics about the number of unintentional drownings of children, I doubt that the Mayor would have commissioned a Task Force to consider requiring all swimming pool owners Lincoln to have a locking steel cover in place whenever the pool is not in use and supervised by an adult.

Will the Mayor’s Task Force begin the process with an objective analysis of whether the cited “concerns” are even rational? We have access to an outstanding University here in Lincoln. Did your Task Force member recommendations include any statisticians, epidemiologists or criminologists who could measure the probability of misuse compared to the burden of imposing storage requirements on thousands of households where the children would never consider misusing a firearm – regardless of how it is stored – because of how they are parented and raised?

The issue of parenting and training brings me to my third and final issue.

Last year, in conjunction with the Nebraska Game and Parks Commission and the Nebraska Trapshooting Association, 2,500 boys and girls gathered in Doniphan, NE for the Cornhusker Junior/Senior High School Trap Shooting Invitational. (6) For three days, these thousands of young people walked indifferently through racks holding many thousands of guns and, literally speaking, tons of ammunition.

Nobody shot anyone else, or themselves. If you were to ask a sixth grade shooter at the event why this was the case, he or she would probably look at you quizzically and explain simply that shooting oneself or others would be illegal, immoral and painful. This respect for firearms is not limited to that one sport. Throughout Lincoln and Nebraska, children with the correct training and parenting have the same respect for arms as they do for other common instruments and tools that can be harmful if misused.

This again speaks to the scope of the Task Force and your selection of its members. It’s very likely that “safe storage” is a Band-Aid fix at best, and true firearm safety comes from a combination of education and parenting. Did you consider reaching out to high school shooting coaches, or NRA-certified instructors who teach firearm safety to 4-H youth, or Boy Scouts? Did you solicit an educator from the Nebraska Game and Parks Commission who teaches hunter safety to children?

Based on the Mayor’s vague press releases, and your response regarding the composition of the Task Force, I wonder if the group is lacking representation from ordinary citizens whom this will affect, and people with proven track records in successfully making children safe with and around firearms. I would ask that you please consider re-establishing the Task Force to include a better cross section of unbiased experts and concerned citizens.

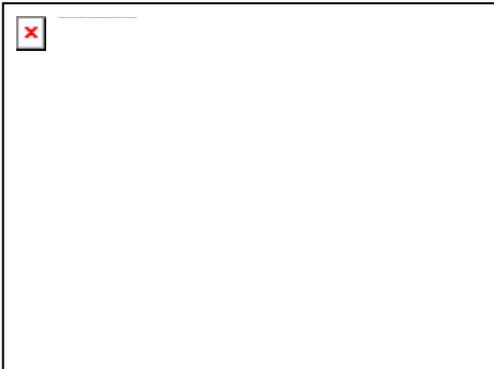
Thank you very much your service.

Sincerely,

Rhett Taylor

References

- (1) https://www.omaha.com/news/education/higher-education/two-unl-profs-protest-against-nra-lobbyist-one-faces-property/article_2f53addd-ebdd-5c32-84b3-df70c8401410.html
-



Two UNL profs protest against NRA lobbyist; one faces property destruction charge | Education | omaha.com

www.omaha.com

Patricia Hill is a research assistant professor of sociology at the University of Nebraska-Lincoln.

- (2) <https://twitter.com/NebGunReform/status/998762207855902720>
- (3) https://www.washingtonpost.com/outlook/school-shootings-are-extraordinarily-rare-why-is-fear-of-them-driving-policy/2018/03/08/f4ead9f2-2247-11e8-94da-ebf9d112159c_story.html?noredirect=on&utm_term=.c2c1b8cd3069
- (4) https://www.cdc.gov/injury/wisqars/pdf/leading_causes_of_death_by_age_group_2016-508.pdf
- (5) https://www.cdc.gov/injury/images/lc-charts/leading_causes_of_death_highlighting_unintentional_2016_1040w800h.gif
- (6) https://www.cornhusker-trap.com/uploads/1/2/4/0/124006675/50th_cornhusker_fact_sheet_1-22-19.pdf

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Angela M. Birkett

From: Sarah Sarah <sjd133@hotmail.com>
Sent: Tuesday, February 05, 2019 10:07 AM
To: Council Packet
Subject: Lincoln City Council - Krueger 29th & Pine Lake Development

Importance: High

Lincoln City Council:

I'm writing AGAIN to express my OPPOSITION to the proposed Krueger development (50ft mixed-use buildings) to be located off S. 29th Street between Starbucks & the Porter Ridge Townhome Association.

Monday, February 11, 2019

Permit #100D

1st, I don't understand why there is another City Council meeting scheduled for this issue. The Lincoln Planning Commission DENIED 65ft mixed-use & most recently 50ft mixed-use development for this small area. The planning commission fully understands the issues & the feelings of the surrounding neighborhood/community & why there is strong opposition. However, even though they have DENIED twice, we are back to the City Council again.

1. The proposal Krueger is making will certainly not keep with the aesthetics in the area. This is an already established office/commercial & residential neighborhood and what is being proposed with 4 huge buildings, the 50ft height with apartments, balcony's, underground parking, pool etc.. is completely INAPPROPRIATE FOR THIS AREA & the small parcel of land available. Make no mistake, it is 4 buildings, Krueger says it's 2 (because it sounds better), however simply look at the pictures...it's 4 buildings he's proposing. From our own research, there have been only 2 other height waivers approved that abut already established neighborhoods:

- Victory Park - received a height waiver of 45', however has a setback of 100'!!
- Knolls Senior Living Development - received a height waiver of 45', however has a setback of 135'!!
- Both of these projects abut neighborhoods with houses built in the 1960's & 1980's on large lots with very mature landscaping.
- PLEASE NOTE: South Ridge Village (not a redevelopment project) wants a height waiver of 50' and a setback of only 40' abutting townhouses built between 2001 & 2003 with backyards of a shallow 30'!?!?
 - This makes no sense, when other areas have setbacks of 100+ft, have sufficient space to develop & proper landscape screening.
 - *Please do the right thing & do not allow mixed-use development!*

2. When several of us purchased our townhomes we knew we were backing up to an office/commercial area, however the office/commercial buildings are low profile, there is privacy & it is quiet at night. We were advised that the undeveloped area may someday include 1-2 addl. office/commercial buildings of the same size & style. That's all we want. WE WANT OFFICE/COMMERCIAL & WE WANT OUR PRIVACY! Krueger is in the business of building/developing etc.. We get that, and we are patrons of many of the businesses that lease from him. Krueger stated he gets calls from people looking for commercial real estate to lease, then build the office/commercial buildings and satisfy those business needs! I'm sure by now Krueger and/or his lawyer have visited with some of you to lobby & try to convince you this is good for the city & the area. However, please visit the area, use your common sense & see that they are wrong.....MIXED-USE IS NOT RIGHT FOR THIS SMALL AREA! All you have to do is visit, look at the small parcel & the set back... you will see that his proposal is not fair to the neighborhood. We want the city of Lincoln to honor what was promised the existing zoning - OFFICE/COMMERCIAL! *Please do the right thing & do not allow mixed-use development!*

3. Even though Krueger lowered the height variance from 65ft to 50ft on this recent modification, any mixed-use buildings WILL BE EXCESSIVE & INTRUSIVE. This WILL affect our quality of life as well as our property values. i.e. apartments bring in added traffic & noise day/night (it's currently quiet at night w/the office/commercial buildings). WE WANT OUR PRIVACY & with his proposal, we will need to keep our shades/curtains drawn 24/7! This isn't fair to an already established neighborhood. Also, who would want to purchase one of these townhomes and look out the back window and see a wall of apartments? No one...not even Krueger. He has stated himself that he wouldn't live here. Please don't enrich Krueger Development at our cost! Just because multi-use buildings are in vogue now doesn't mean it's right for this area. There are a multitude of available apartments in the area. Thus, there is absolutely NO NEED for 4 mixed-use buildings in this specific area on this small parcel of land. *Please do the right thing & do not allow mixed-use development!*

4. Kruger hasn't been fully willing to listen or work with the Porter Ridge Townhome community. He sends letters about meetings a few days before they are scheduled, most recently during the holidays...when several were out of town. When there is a meeting some can attend they have advised it's almost like he is bullying us... saying "I can do this... I can put the air conditioners on the top of the buildings, I can put the road & dumpsters by the fence, it will be really noisy" etc. He may be a nice guy, he may have developed other areas, but his attitude toward the Porter Ridge Townhome community & this overall neighborhood is less than professional. *Please do the right thing & do not allow mixed-use development!*

5. We all have water drainage issues & have spent our own money to address. It is essentially a swamp by the fence (lower) when we have substantial rains & it takes many weeks to dry up (if no further rain). Many have had to replace fence areas multiple times (with our own money) due to the soft ground & heavy winds...fencing that Krueger installed. This already tells you there is poor drainage in the area. With this proposal, Krueger wants to build 4 huge buildings, underground parking & a pool on this small parcel. This just doesn't make sense & it's asking for issues.... will probably have settling, structural problems and WILL directly affect the already established Porter Ridge Townhome community. *Please do the right thing & do not allow mixed-use development!*

6. In the previous planning meetings, we voiced our concerns & opposition in well laid out presentations, multiple letters & large attendance. We contradicted much of what Krueger was trying to explain to the Planning Commission. Thus, the planning representatives agreed with the residents & the neighborhood that the Krueger proposal is not reasonable or beneficial. *Please follow their lead & do the right thing...do not allow mixed-use development!*

PLEASE ask yourself, who is benefiting from this proposal? The answer is ONLY Krueger. The community/neighborhood does not want mixed-use development. We have several hundred signatures, multiple e-mails/letters have been written & multiple have showed up to the Planning meetings & City Council meetings. We are your constituents ... please honor the office/commercial zoning & please let us have our privacy!

PLEASE listen, understand and relate to what the residents in this neighborhood are stating/feeling regarding this proposed development. A wall of 4 50ft mixed-use buildings in this small area is inappropriate & unnecessary. Mixed-use buildings would be better suited in another area (Haymarket, brand new development, re-development etc..)

Thank You,
Sarah Duer (2812 Porter Ridge)

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Tuesday, February 05, 2019 11:23 AM
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 : 2/5/2019 11:22:39 AM

name Bonnie Collins
address 2821 Porter Ridge Rd
city Lincoln
state NE
zip 68516
email bonniebmmb@yahoo.com
comments I'm firmly against the proposal that Krueger Development to the south of Starbucks to the north to Porter Ridge Road off of 29th St. I'm not opposed of the medical/office building but opposed to the height and amount of apartments. The current traffic situation is, and if you add all the new apartments, this will excel to triple the volume of traffic is this small area.

The city planning commission unanimously voted against these changes. This parcel of land is not large enough for everything that Krueger Development wants to develop here.

There are several of these types of developments in Lincoln. The development located on 48 & Holdrege has been build for more than a year with very few office spaces filled. Please look over this proposal and veto it.

IP: 98.21.131.112

Form: <https://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, February 05, 2019 11:54 AM
To: Jon Camp; Jane Raybould; Carl B. Eskridge; Leirion Gaylor Baird; Roy A. Christensen; Bennie R. Shobe
Subject: InterLinc - Contact

City Council - Contact

Date : 2/5/2019 11:53:46 AM

name Jane Hanson
address 2829 Porter Ridge Rd.
city Lincoln
state NE
zip 68516
email janejanielou@gmail.com
comments Dear members of the City Council:

I urge you NOT to vote for Krueger Development's South 29th Street mixed-use project behind Starbucks, near the intersection of 29th and Pine Lake Rd. .

All of the residents, all nearly 55+, bought their homes knowing the land was zoned commercial O-3, with the expectation that its use would remain commercial, office/medical.

"New Urbanism" has its beginnings in 1967(!), in Reston, VA, which is a pre-planned marvel. "New Urbanism" is now "old".

Another Reston term is "human scale" and it is used to caution planners against just this sort of planning abuse. The "in-fill" procedure used to shoehorn mixed-use buildings into such small spaces is wrong. "In-fill" is wishful thinking in a suburban area, has been largely touted by greedy developers, and the Planning Commission staff even sounds dubious in their YouTube video. You can almost hear the phrase "experiment" floating around them. They do not sound at all convinced. The Planning Commission wisely sensed this and voted 7-0 against this proposal.

Once this monstrosity is built, it is too late.

None of wish to have an apartment looming over us at night, with all its attendant noise, traffic, and light pollution. The loss of privacy is intolerable, with a four-story building towering over the shorter townhomes.

The 100% screening is laughable. The original trees were to be 3-4' tall, half deciduous and half coniferous. We would not even be able to see them from inside our yards on the other side of our fences, and it will be 30 years (and us long gone) before the cedars/firs even gain 6'. Any plan of Mr. Krueger's plan to add the trees in OUR yards obviates our intention to minimize landscaping concerns.

The city just raised the assessed value of our homes almost \$40,000 years in the past four years. IF built, the buildings will negatively impact our real estate values and even your tax revenue, because we will fight to have this adjusted.

The traffic is horrific down there and there is no safe pedestrian access. It is ludicrous to believe any study that says adding buildings with residents will decrease traffic and parking. Trying to get into any of the food court restaurants is already difficult and many patrons give up and leave now. The parking figures that you were given by Mr. Krueger last year included no parking statistics after 5:00 pm. We respectfully request a parking and traffic study of the area as the congestion is notable (already) with delivery trucks and dumpsters in the alley in addition to the Starbucks line.

Water management is greatly challenged on the Ridge above the proposed site. The Ridge is built on artesian springs that are part of the Salt Creek watershed. All the homes have sump pumps which run constantly from the first thaw (and even started up in early January two weeks ago with that nice 50 degree weather!) As part of a large berm part way up the ridge, large french drains and connections to the city sewer were added after the houses were constructed. The Ridge above the proposed site is already heavily over-engineered for water management. Krueger Development's proposal mentions "tweaking" (a highly technical term understood only by engineers?) the retention pond below. He wants to put in a subterranean garage and a swimming pool down there. It is already a marsh.

Please do not vote for a mixed-use proposal. Please do research on this very visible/high use land.

As proposed by Krueger, this building will be a disaster for ALL of us who use this space, and unsafe for any who live there, which are only those who could not afford to live anywhere else.

Since he has been known to give the city land before, maybe he would consent to give this "unmarketable" to us.

Jane Hanson

IP: 104.218.69.202

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

User Agent: Mozilla/5.0 (Macintosh; Intel Mac OS X 10_14_2) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/71.0.3578.98 Safari/537.36

Angela M. Birkett

From: Megan Guthrie <megan.guthrie@humanexventures.com>
Sent: Tuesday, February 05, 2019 12:44 PM
To: Jon Camp
Subject: Road Treatment Referral

Hi Jon,

I hope you're doing well! I live in your district and recall last summer at the City Council's lunch with the Lincoln Young Professionals Group that you were on the lookout for safe and effective road treatment products, particularly for winter weather. I've had the privilege of working with the great team at EnviroTech Services, Inc. for a few years (they're a client partner of ours) and thought I'd pass along some contact information in case this is something you still perceive as a need for the city. Tim Pike is one of EnviroTech's leaders who would be a good contact for whoever you know who might be interested in learning more about their products.

Tim Pike
tpike@envirotechservices.com
970-395-7711

I hope this is helpful, if not immediately then perhaps in the future. Thanks for all you do to represent us and take care of our community!

Megan Guthrie
Talent & Culture Development Specialist



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Angela M. Birkett

From: Pat Anderson <panderson@nwlincoln.org>
Sent: Tuesday, February 05, 2019 2:09 PM
To: Council Packet
Cc: Jon D. Carlson; Rick D. Hoppe
Subject: Fwd: One Thing

Food for thought..

I'm forwarding this (again) because past experience with such grants has gone a long way in improving neighborhoods - you get a "big bang for the buck".

NeighborWorks will have a few mini-grants for those attending the Neighborhood Forum this Saturday and Collective Impact is offering the same but \$500-\$1000 doesn't go far.

Pat Anderson

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

From: **Mike McGuire** <mike.mcguire@oneomaha.org>
Date: Tue, Feb 5, 2019 at 11:59 AM
Subject: One Thing
To: <panderson@nwlincoln.org>



Good afternoon,

The Mayor's office has announced the 2019 Mayor's Neighborhood Grants Program.

Below is a communication from their staff.

"Omaha neighborhood associations are encouraged to apply for the **2019 Mayor's Neighborhood Grants program.**

Mayor Jean Stothert will award \$75,000 for neighborhood proposals that support and strengthen projects that improve the quality of life, impact the neighborhood environment, and help prevent crime.

In 2018, 32 projects receiving grants included equipment for citizen patrols, landscaping and trees, supplies for neighborhood cleanups, a pollinator garden, a baseball diamond, and “little free neighborhood libraries”.

For the second year, funds will be designated for the National Night Out Grants program. Grants up to \$200 will be awarded to neighborhood associations that plan and host National Night Out events on August 6, 2019.

“The neighborhood grants program provides an opportunity to collaborate with our strong and creative neighborhoods,” said Mayor Jean Stothert. “The best ideas and projects often come from those who benefit the most, the neighbors!”

Neighborhood organizations registered and listed in the City of Omaha **Neighborhood Directory** are eligible to apply for grants up to **\$5,000**.

The application deadline is **March 26, 2019**. Applications will be reviewed by a committee including representatives of One Omaha, Omaha Police, Keep Omaha Beautiful, the Planning and Public Works Departments and the Mayor’s Grants Team. Final awards will be approved by Mayor Stothert. Grant recipients will be **announced in May**.

Over the last five years, Mayor Stothert has awarded neighborhood grants for a total of \$375,000."



The Mayor's Office will also host an **Open House Q&A Event** to provide further information and answer any questions you may have about the grants program.

The event will be **Wednesday, February 27th** from **5:30pm to 7pm** at the **Barbara Weitz Community Engagement Center, Room 231** on UNO's Dodge Campus.

If you have any questions, please contact the Neighborhood Grants Program at 402.444.5151 or by email at neighborhoodgrants@cityofomaha.org



ONE Omaha, founded in 2015, is a public-private initiative dedicated to actively facilitating the development of neighborhoods in the City of Omaha through communication, education, and advocacy.



Civic Nebraska is a group of politically diverse Nebraskans committed to a more modern and robust democracy for all Nebraskans. ONE Omaha is an arm of Civic Nebraska.

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--

Pat Anderson-Sifuentez
Community Engagement
NeighborWorks Lincoln
2530 Q Street
Lincoln, NE 68503
402-477-7181, ext. 106
panderson@nwlincoln.org
www.nwlincoln.org



*NeighborWorks Lincoln's mission is to keep Lincoln a safe and prosperous community
by revitalizing neighborhoods and promoting homeownership*

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Tuesday, February 05, 2019 2:27 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 : 2/5/2019 2:27:03 PM

name Oscar Pereira

address 2844 Porter Ridge Road

city Lincoln

state NE

zip 68516

email opereira1@unl.edu

comments Porter Ridge proposal by Krueger Development (south of Starbucks, north of Porter Ridge Road, west of 29th Street)

I am writing to let you know that my wife (Maria D. Lorenzo) and I oppose Krueger's proposal of building two incomprehensible —because of their height and size— apartment buildings next to our backyards. If we compare the available space and the standard apartment buildings in this area of the city, Krueger's proposal does not make any sense. The buildings are taller and the lot smaller than other projects already servicing the area. We really do not understand what is going on with the intent of changing the zoning. From our point of view it would be irrational to do it: there is really no enough space.

There is another important matter: trust. When we bought our townhouse in 2001 we had the possibility of buying on both sides of the street. To the south, the problem was the impossibility of having walk-out basements in the available lots. To the north, the matter was what was going to be build there. So, we had a choice. I asked Krueger about the open space available and his future plans. I remember this as it were yesterday. He signaled with his right hand the buildings across 29th Street: beautiful one-floor office buildings. We trusted him and the city zoning and our house began to be built on the north side of Porter Ridge Road. We made a long-term decision based on trust. Please, put yourself in our situation. Can we trust the city when we buy a house in an area in which we are going to live the rest of our life?

IP: 104.218.69.225

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

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Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Tuesday, February 05, 2019 5:31 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 : 2/5/2019 5:30:33 PM

name Nancy Meyerle
address 5201 Danbury Ct
city Lincoln
state NE
zip 68512
email nmeyerle@ecseyes.com

comments I am sending this email in opposition to the 4 story apartment complex that Krueger Development is proposing a zoning change on at 29th and Pine Lake. I work at 2801 Pine Lake Rd, Ste P-3 which is directly across from the planned 4 story complex. Traffic is already very busy on this access road with Starbucks at one end and the gas station at the other end. Cars drive extremely fast down this access road and it is extremely difficult parking and backing out of the parking spots. We have semi-trucks making deliveries since the loading docks for the mall are on this side of the complex also. There are many days we have them backing down the access road to get into the dock. We also have trucks parked along this access road unloading products for the restaurants located on the eastern part of the mall. I can't image what the traffic would be like with the huge, over-sized for the area, apartment complex also using the narrow access road. I asked when we first moved into our location for speed bumps to slow the traffic down and was told by Krueger Development that isn't possible because of the truck traffic.

Thank you for taking the time to read this email and please consider what a large apartment complex in a very busy, small area would do to the neighborhood.

Sincerely,
Nancy Meyerle

IP: 173.198.141.122

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

User Agent: Mozilla/5.0 (Windows NT 6.1; WOW64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/71.0.3578.98 Safari/537.36

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Tuesday, February 05, 2019 7:17 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 : 2/5/2019 7:16:33 PM

name Julie Skrabal
address 2867 Porter Ridge Road
city Lincoln
state NE
zip 68516
email julie.skrabal@gmail.com
comments Dear City Council Members,

I am a member of the Porter Ridge Townhouse Association and am concerned with the proposal by Krueger Development to construct a mixed-use building to be located off South 29th. As this request comes forward from Krueger Development, I would encourage you to DENY the proposed zoning variance for the mixed-use with height variance request for the following reasons:

1. The area was zoned for office buildings which was known when I purchased my home. I for one welcome office buildings which the area was originally zoned for.
2. Although my property does not back the zoning area, my home will face the buildings. Because of this, having a mixed-use building will influence the quality of life for myself and other townhouse owners.
3. There will be an impact on property values.
4. Finally, Krueger Developments was asked to work with neighbors to find a solution. I feel that he failed to do this for not all members of the Homeowners Association were included in meetings and/or discussions (not part of the 17 homeowners that backed the zoned area).

Once again, I ask that you DENY the proposed zoning variance. As an Association, we are simply asking for the zoning to remain as it is. Thank you for considering this matter.

Dr. Julie Skrabal
2867 Porter Ridge Road

IP: 76.84.1.129

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

User Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/71.0.3578.98 Safari/537.36

Angela M. Birkett

From: jane gettman <jane.gettman@gmail.com>
Sent: Tuesday, February 05, 2019 7:28 PM
To: Jon Camp
Subject: Proposed Krueger complex-Porter Ridge neighborhood

Special Permit 16296 to allow a waiver to parking requirements and, Use Permit UP100D - to replace the 3 office/medical lots of 53,660 sq. feet, more or less, with 2 mixed use buildings, included associated waivers (South 27th Street and Pine Lake Road)

Hello. I am writing this email in hopes that you will PLEASE VOTE AGAINST the “proposed” mixed use / apartment complexes by Krueger Development in the Porter Ridge neighborhood.

As a current townhouse owner, I am very frustrated how this development can even been considered. Why would the Council members even consider wasting their valuable time in even looking at the “so called” changes in plans when the Planning Commission has denied the height increase twice, 6-1 and 7-0. The Council overlooked this vote, twice.

I’m sorry, but isn’t this the job of the Planning Commission for our City, to review proposed building plans according to the location the developer wants to build. Nonetheless, you took a vote, only resulting in a 4-3 approval, However, it took a Veto by the Mayor because in his words “this project continues to create conflict with the adjacent residential townhomes”. Call me paranoid, but I’m thinking that the only reason it got 4 yes votes in the first place is that this developer has close ties and possibly contributed \$\$\$ to those yes votes. Since this is an election year, please don’t let the \$\$\$ persuade your vote.

He developer has indicated that there will be a buffer of trees planted between this development and the townhomes. Seriously, how many of us will live long enough to truly see the advantage of this tree border. They still won’t be tall enough to block those living in the apartments to be able to look directly into backyards, and the homes.

By allowing this “mixed use” “new urbanism or whatever you want to call this proposal, it will severely interfere with the livelihood of the current townhome owners that reside directly to the south. I;m sure this developer can find a more suitable location for his buildings.

I ask again that you drive by this location and see for yourself how unsuitable it is. This proposal must be denied, once and for all.

Please vote NO.

M Jane Gettman
2840 Lawson Dr

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Tuesday, February 05, 2019 10:10 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 : 2/5/2019 10:10:01 PM

name susan lukasiewicz
address 2844 lawson dr
city Lincoln
state NE
zip 68516
email sueluke12@icloud.com
comments City Council Members,

I live at 2844 Lawson Dr. in the Porter Ridge Townhouse Asso. and I'm asknig for your careful consideration of the request for variance to prevent a zoning change for Krueger Dev. Mr. Krueger is in the second round of request for variances-after being previously denied by P & Z and vetoed by the Mayor.

It seems that the influences of an aggressive developer to come into a residential that has zoning in place-to disregard the reason for zoning ordinances-is frustrating for home owners that assumed their community was safe from a tall apartment complex in their backyards! Zoning was done for a good reason-to protect areas from unsightly building.
We do not want to loose our privacy !

Respectfully yours,
Susan Lukasiewicz

IP: 174.238.145.154

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

User Agent: Mozilla/5.0 (Windows NT 6.3; Win64; x64; rv:65.0) Gecko/20100101 Firefox/65.0

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Wednesday, February 06, 2019 9:53 AM
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 : 2/6/2019 9:53:23 AM

name Deb Iwanski
address 5545 Franklin
city Lincoln Ne
state NE
zip 68506
email diwanski@ecseyes.com
comments Please deny Use Permit 100C !!!

There is no good or justifiable reason that the O3 zoning, which has been in place since 2009 should be changed to benefit the developer. There are many empty building all over this town!

Current zoning is put in place to protect property owners and businesses surrounding O3 zoning should be a buffer from commercial to residential and the zoning height restrictions should remain in place.

When the families purchased those properties they knew that the zoning would allow office/medical to be built. But 4 stories of apartment buildings that will have a negative impact on our privacy. They purchased those properties in good faith knowing the current zoning was in place.

The traffic behind the guitar center & starbucks is already bad, UPS, delivery, fast moving teens, big trucks, people backing, no speed bumps and lots of loitering. We don't need more due to people coming home to apartments. It's become unsafe.

Thank you,

Deb Iwanski

IP: 173.198.141.122

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

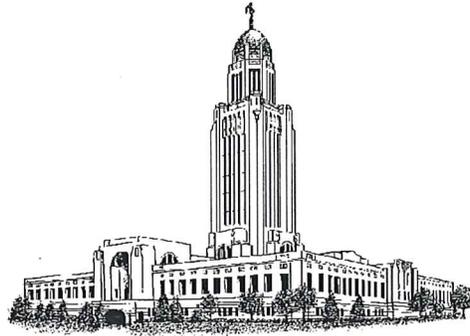
User Agent: Mozilla/5.0 (Windows NT 6.1) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/71.0.3578.98 Safari/537.36

Nebraska State Legislature

SENATOR KATE BOLZ

District 29
4401 Calvert Street, Unit 1
Lincoln, Nebraska 68506
(402) 802-8312

Legislative Address:
State Capitol
PO Box 94604
Lincoln, Nebraska 68509-4604
(402) 471-2734
kbolz@leg.ne.gov



COMMITTEES

Vice Chairperson - Appropriations
Nebraska Retirement Systems
Executive Board
Reference
Justice Reinvestment Oversight

February 1, 2019

Mayor Chris Beutler
555 S. 10th St, Suite 301
Lincoln, NE 68508

Mayor Beutler,

I am writing in regard to the potential development near 29th and Pine Lake Road, specifically the proposed 50 foot tall and 300 foot wide apartment sections of the current development plans. I am supportive of your 2018 veto of this project, and request that if the project is again advanced from the city council, that you utilize veto power.

I have heard from constituents affected by the project and agree with many of their concerns through the lense of how I would feel if a similar project were brought within close proximity to my residence. When many of the residents of the Porter Ridge West Townhomes Association bought their homes, they did so under the assurance that the vacant land near their properties was zoned for a commercial or medical purpose. As a city, we should strive for predictability for homeowners when making these long-term decisions, and authorizing a project of this scale undermines that goal. As a result, this could have direct implications for the property values in the Porter Ridge West Townhome Association. Furthermore, because of the size of the project, the characteristics of the neighborhood could be changed with an increase in traffic and reduced privacy for current residents.

Despite my concerns, I do not believe this is a case of "not in my back yard." Many apartment complexes have made great neighbors to neighborhoods of single family homes, but in this particular instance, when developers have been repeatedly advised that the parameters presented do not fit the scale of the neighborhood, they have failed to make adjustments, and hoped for different results in the policymaking process.

I respect that this decision is the city council's to make. I am writing as a representative of my constituents, and a community member that has spent much time getting to know those who live and work in the 29th and Pine Lake area. I appreciate the openness and responsiveness of our city government, and look forward to our continued collaboration to ensure Lincoln remains a great place to live.

Sincerely,

A handwritten signature in black ink, appearing to read 'K Bolz', written in a cursive style.

Senator Kate Bolz
Legislative District #29

CC:

Council Member Cyndi Lamm, NE District 1
Council Member Jon Camp, SE District 2
Council Member Jane Raybould, SW District 3
Council Member Carl Eskridge, NW District 4
Council Member Leirion Gaylor Baird, At-Large
Council Member Roy Christensen, At-Large
Council Member Bennie Shobe, At-Large

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Wednesday, February 06, 2019 2:59 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 : 2/6/2019 2:58:37 PM

name Ramona Nelson
address 3312 S 42nd St
city Lincoln
state NE
zip 68506
email ramona@sopris.net
comments My Name is Ramona Nelson and I work for EyeCare Specialties. I am strongly encouraging you all to vote against the mixed use building plan of Krueger Development for the Porter Ridge area. The traffic is already a menace behind the strip mall that faces Pine Lake Road. We have lobbied for a speed bump with no success because the through cars treat this parking area like a highway. Please do not add to the already dangerous conditions that this traffic presents.

Respectfully,

Ramona Nelson

IP: 173.198.141.122

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

User Agent: Mozilla/5.0 (Windows NT 6.1) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/71.0.3578.98 Safari/537.36

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Wednesday, February 06, 2019 3:12 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 : 2/6/2019 3:11:58 PM

name Lj carr
address 4906 w Mathis st
city Lincoln
state NE
zip 68524
email bigdogfun@icloud.com

comments Hello I have a question for all you, why are certain companies exempt from parking tickets like parking in a unloading zone for seven or eight hours, blocking people in so I can't leave, blocking driveways, and most of all blocking handicap parking illegal handicap parking. I got well over 1000 pictures showing this And a prime example is someone is parked in a loading zone that was 30 minutes for two hours I called and complained about it and nothing was it done over 5 1/2 hours I do believe later but yet someone goes over one minute on the meter they get a ticket, I talk to the umbudsman office (Lin- she did clear up a few things but many others remain) if you're going to have laws on the books they need to be clarified for all of us by saying what companies are exempt by this I've been told they're not but obviously I have proof of it and witnesses,

Selective enforcement, even though it's a gray area there's many proof that this is happening which is illegal with numerous Cases both won and lost, but most of all I just want to see equality. To all of Lincoln I've asked for certain information I have not received it and I'm sure I'm not going to receive it, I also been belittled, Refuse to answer questions about the law and And were certain revisions are in the City ordinances, and most of all a clarification which a few things have for me due to Lynn's help but I still have a lot of questions but no one else seem to answer them. Selective enforcement could be a very negative and saying in society and this is a Perfect example of what's going on although Lynn has clarified some things. And here's the other thing what I've been told I cannot find them in books anywhere for city ordinances I think it's my right as a tax payer, and A resident of Lincoln and of US that I deserve to know where the laws And why certain ones are being enforced why others and why certain ones are being enforced. I've been asking pretty much the same questions for almost 5 months and very little to nothing has been clarified even though some have. Most of all as a Citizen have the right to know the laws and if no one can point them out to me obviously they have something to hide I hope Lincoln is not this way, just like the water situation in Flint Michigan, and many other examples to be in there in the public has a right to know and to be treated fairly. I want to thank you for your time for reading this And God Bless

IP: 174.217.20.133

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, February 06, 2019 11:14 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 : 2/6/2019 11:14:28 PM

name Alyssa Larsen
address 7121 S 30TH PI
city Lincoln
state NE
zip 68516
email Alarsen57@gmail.com
comments NO SOUTH POINTE APARTMENTS!! The city has gouged us with property taxes and now wants to destroy our property value?! It is an outrage. There is not room for the cars or the people.

IP: 40.131.162.135

Form: <https://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, February 06, 2019 11:58 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 : 2/6/2019 11:57:48 PM

name Carol McClain
address 2810 Sissel Rd.
city Lincoln
state NE
zip 68516
email Cent5318@aol.com
comments Please seriously consider the concerns of our Porter Rudge neighborhood regarding the mixed buildings at 28th and Porter Ridge Rd. Proposed by Krueger Construction. Residents of the neighborhood built/bought their homes with the assurance that the open land would be used for commercial or medical offices. The number of cars and in and out traffic would be primarily During daytime business hours. The Krueger plan includes more than 100 apartments along with commercial space. It is likely the residents of each apartment will have two or more vehicles, resulting in more than 200 cars creating congestion around the buildings at all times of the day and night. This already is a high traffic area.

The requirement for Krueger to plant a barrier of trees to mask the buildings is an improvement, except most of us will no longer live in the neighborhood in 20 years when the trees are mature enough to be effective. Also, the overall height of the proposed building overshadows the homes and even the adjacent strip mall.

Please vote "no" when the Krueger Development proposal comes to the City Council for your consideration.

Thank you!

IP: 76.84.1.15

Form: <https://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: Thursday, February 07, 2019 10:53 AM
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 : 2/7/2019 10:52:41 AM

name Jane Peek
address 2841 Porter Ridge Road
city Lincoln
state NE
zip 68516
email jpeek45@gmail.com

comments I want to thank Bennie Shobe and Roy Christensen for meeting with us last night. Bennie mentioned the apartments next to Hyvee on Pioneer Blvd and wondered as to their height so today I drove out to see the area for myself.

What I found was:

this apartment complex sits on a hill so it appears much taller than it actually is
the townhouses to the east sit much lower and are buffered by a very high retaining wall, garages and landscaping
the townhouses to the south sit much higher so they are basically next to a one story building
the apartment buildings on the perimeter of the complex are 2 story
the apartments buildings in the middle of the complex are 3 story
the complex was well designed in consideration of the townhouse neighbors
the townhouses can actually look out their windows and see more than just windows of another building
these townhouses can actually enjoy their decks

I hope we are given as much consideration by the Council by retaining the existing zoning.

Thank you

IP: 104.218.67.198

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

User Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/71.0.3578.98 Safari/537.36

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Thursday, February 07, 2019 11:11 AM
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 : 2/7/2019 11:10:48 AM

name Douglas Gerlach
address 2834 Porter Ridge Rd,
city Lincoln
state NE
zip 68516
email huskerdugger@hotmail.com
comments Date: 2/6/19
To: City Council Members
RE: Southwood Village Use Permit #100D and Special Permit #1629I

Dear City Council members,

The reason for our letter today is to respectfully ask you to deny the proposed amendment to Use Permit #100D and Special Permit #1629I for Krueger Developments, Southwood Village mixed use building at South 27th St. & Pine Lake Rd.

As a concerned homeowner at 2834 Porter Ridge Road, we ask that you review the facts outlined and think of the grave consequences that this monstrous building will have on so many homeowners in the Porter Ridge area. As homeowners we have been dealing with the multiple attempts by Krueger (see below) to push the amendments and special permits needed for the apartment building since March 21, 2018.

In May of 2018, on a very busy graduation weekend we walked the entire Porter Ridge subdivision. We received over 200+ signatures opposing this project. This will affect everyone in the Porter Ridge neighborhood, not just those of us who's property abuts to the this project.

When we purchased our homes we researched the zoning and in good faith understood that the land behind us was zoned for office/medical and we were fine with that. The land is zoned as an O3 which is 35' residential and 45' office/medical. The zoning was put in place for a reason and this proposed 50' 4 story apartment is not "a compatible buffer" next to a residential area.

On Dec.13th Mr. Krueger showed us the plans and pictures for a 45' medical office building. He stated that he could build this with no additional permits or waivers. He said it would have minimal landscaping, be closer to our homes and he would put a one way road directly behind the property with garbage dumpsters next to our property. As the homeowners we prefer this medical/office building verses a 4 story apartment building which would not allow us any privacy. These apartments will look directly into our bedrooms, our living rooms, and onto our decks. Please remember we live in Nebraska, there is at least 6 months where all these trees have NO leaves! All the trees in world will not screen this building when they don't have leaves on them. These residents would be looking into our homes 24x7.

After showing us these plans Mr. Krueger told us, that he was resubmitting the same 4 story apartment building to the City Planning Commission that had just been denied in Sept. 2018, He said he would add come additional landscaping to help with screening to show that he was working with the 17 homeowners. He said the mayor told him to resubmit with the changes and he would support it. He also

told us, to show the mayor that he was working with the homeowners, he was also going to offer each of the 17 homeowners \$1,000 for additional landscaping. That is an insult.

We don't feel this is much of an attempt on his part, to work with us. In fact, we feel the only reason he showed us the office medical plans was to talk about how bad he could possibly make it for us.

He proceeded to tell us that the mayor and the city members wanted him to build the apartment building, (we've heard this 3 times now) and that he was permitted to resubmit "the same plan that the mayor had vetoed". This is the plan that the city council did not even bring to a vote.

Our question to all of you is, what has changed? As far as the homeowners are concerned, NOTHING has changed. He added some additional landscaping but even with a 10 foot tree which is more than double what he is required to do, we will still have 3 stories of apartments and residents looking into our homes. As concerned homeowners we continue to fight this emotional battle. We went back to the City Planning commission on Jan. 23rd and they denied the use permit height waiver from 35' to 50' with a vote of 7 to 0. We ask that you review their meeting notes and understand why they denied this. Zoning is put in place to avoid detrimental changes like this.

The question is how many times must we go through this process? When does no, mean no? Within our Porter Ridge Association the majority of us are at an elderly age. It's cruel that we must continue to ride this roller coaster of emotions, wondering what is going to happen next, what's about our homes, our quality of life, when will this stop?

Please put yourself in our shoes. Would you want your Grandmother, your Mother, or your Daughter having someone watch their every move from the next door apartment complex? We pay the taxes, and these are OUR HOMES. We don't want a monolithic building stuck in our backyard, and neither would you.

The zoning was put in place to protect homeowners from situations just like this. How can this even have the appearance of being fair to homeowners? The only one that is benefiting from the 4 story apartment building is Krueger? And he needs everyone to re-write every rule, and ask for special permit, after special permit so he can get what he wants. What about us and what we want? He stated very clearly that he wanted/needed to build the 4 stories to make more income.

Please, try to understand our views. You represent us, you are supposed to look out for our best interest, not one individual. You are to protect us. The zoning is put into place to protect us. The decisions you make, we will have to live with. Please don't change this just for the benefit of one person, because the rest of us will all pay the price.

Thank you in advance for your time.

Respectfully,

Douglas & Marsha Gerlach

IP: 173.198.141.122

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

User Agent: Mozilla/5.0 (Windows NT 6.1; WOW64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/71.0.3578.98 Safari/537.36

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Thursday, February 07, 2019 11:25 AM
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 : 2/7/2019 11:24:30 AM

name Nancy Price
address 6202 S. 28th St.
city Lincoln
state NE
zip 68516
email nancyjp56@gmail.com
comments I am writing to express my disagreement to allow the Krueger Development Apartments proposal to go forward. Hope your vote will be to deny it on Feb. 11th.
Thank you!

IP: 198.17.44.2

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

User Agent: Mozilla/5.0 (Windows NT 6.1; Win64; x64; rv:65.0) Gecko/20100101 Firefox/65.0



BLAKE | AUSTIN LAW FIRM LLP
The Cornhusker Plaza
301 South 13th Street, Suite 101
Lincoln, Nebraska 68508
(402) 480-7003

William F. Austin
William G. Blake

February 6, 2019

Lincoln City Council
555 S 10th St, Rm 111
Lincoln, NE 68508

Re: Proposed Use Permit 100D & Special Permit 1629I (East of S 27th St. and Pine Lake Road)
Krueger Development

Dear Council Members:

This firm represents the Porter Ridge West Townhome Association, Inc. and individual Association members. We are in opposition to this project as proposed, and we ask that the developer be required to either develop the property in conformity with the existing Use Permit or that he scale the project back to fit within the existing zoning restrictions. We will state several important points which we believe must be considered, and then discuss some of those points in more detail.

1. **Repetition.** Our clients went through this just six months ago. Very little has changed in the proposal now placed before you.
2. **Planning Commission.** The Planning Commission unanimously (7-0) recommended denial of Use Permit 100D.
3. **Predictability.** The existing Use Permit, in the land area that is relevant to the proposals before you, calls for three two-story office buildings with a total of 53,660 square feet. The abutting residents are now asked to face primarily residential four-story buildings with a total square footage of at least 94,880 square feet plus connecting cause-ways.
4. **Too much, Too big.** Whenever numerous variances are needed in order to obtain approval, one must ask whether the proposal fits the property and the neighborhood. This proposed project does not fit. It can be well described as trying to cram a size 12 foot into a size 6 shoe.
5. **Proximity.** The artist's drawings submitted by the developer do not present the distances or the screening realistically.
6. **Ineffective screening.** The dense landscape screen will not be effective for many years, if ever, and it will never look like the landscape screen shown on the drawings. A large portion

of that screen would be on the neighboring properties. Once mature, it would almost completely fill the open space on the site and on the neighboring properties to the south.

7. **Non-compatibility.** Comprehensive Plan statements encouraging residential to be included in commercial centers were heavily relied upon in the planning staff's report, but inappropriately so. The Comprehensive Plan repeatedly stresses compatibility with existing land uses and appropriateness to the area.
8. **Lack of Support.** A great number of letters will be submitted to the Council in opposition to this project, including letters from our clients, the homeowners, directly abutting this proposal on its south side.
9. **Planning Analysis.** We must look at the parcel specifically under consideration and the surrounding area as developed, and then we must be careful to properly describe the situation and to read the Comprehensive Plan in context. In doing so, it becomes difficult to find support for this project.
10. **Existing Ability to Develop.** The developer can build office buildings under the existing permit, and residential can be added without more variances. Perhaps a size 6 foot would better fit this size 6 shoe on which the developer intends to build.

The commercial district has been developed with a fairly small vacant area on its south side, with two medical office buildings planned for that vacant space. The remainder of the commercial district was developed in conformity with the plan as approved with the Use Permit, and the remainder of the district has very little relevance to what is being proposed now for the remaining small vacant space.

The proposal before you is not a reduction of the development on the relevant property. Rather, it would increase the square footage of the buildings on that property by more than 40,000 square feet. All of that additional square footage plus much of the office square footage on this property would be residential, something that had never been in the plan when the rest of this area was developed. Now, we must ask why it would be okay to thrust this upon the neighbors immediately to the south?

The Comprehensive Plan does not provide support for this project. The planning staff report repeatedly focuses on promoting residential uses in commercial centers. The Comprehensive Plan, in reality, is in keeping with long established sound planning and zoning principles, repeatedly promoting predictability for neighborhoods and developers, and encouraging integration of compatible land use types in commercial centers. The strategies for such centers include:

- “Strive for predictability for neighborhoods and developers” (C.P. page 5.2).
- “Develop Commercial Centers...with appropriate site design features to minimize impacts on adjacent areas” (C.P. page 5.7).

- “Design buildings and land uses at the edge the center to be compatible with adjacent residential land uses” (C.P. page 5.7).
- “Buildings with more intrusive uses should have greater setbacks” (C.P. 5.7).
- “Mixed use developments should be located and designed in a manner compatible with existing or planned land uses” (C.P. page 6.2).

These are just a few examples of the consistent statements stressing compatibility when designing these areas.

The planning staff report recognizes that mixed use developments should be located on at least one arterial street, but attempts to describe Porter Ridge Road and 29th Street as almost arterials. They are not almost arterials by any reasonable analysis, and they do not provide the orientation or access that would be found if the property abutted a true arterial street.

The planning report cites five other areas where height clearances have been granted to provide for similar development. That reference is incorrect, and those projects do not provide any kind of precedent for this project. Of the five cited instances of height waivers, two were large vacant tracts with no existing development surrounding them, and another one had no residential development near it. One involved a change of zone from a district that had the same height limit for which the waiver was requested. All five of those properties were located on actual arterial streets, and none of them had buildings with apartments facing existing homes immediately across the fence line.

New Urbanism is a hot ticket at this time, and perhaps with good reason. Planners are looking for ways of integrating residential uses in urban centers. Of course, this works best when they can be integrated in the plan from the beginning, and it does not work very well at all when it is crammed into a small part of the fringe of an otherwise completed center, too close to existing residences. The concept may be good, but as proposed, the proposed project is not right for this property or the surrounding area.

We must ask that you reject this proposal. The people who would be negatively impacted by approval should be allowed to continue to depend upon predictability, protection of their property, and their well-being. They should be allowed to rely upon sound, solid planning that is not merely a rush toward reaching a new goal by pushing for approval of a project that does not fit.

Sincerely,



William G. Blake

wblake@blakeaustinlaw.com

Angela M. Birkett

From: WebForm <none@lincoln.ne.gov>
Sent: Thursday, February 07, 2019 12:27 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 : 2/7/2019 12:26:41 PM

name Charlene Prai
address 7401 So. 28th
city Lincoln
state NE
zip 68516
email cprai@msn.com

comments Although I do not live directly behind the proposed Krueger apartment building at 27th & Pine Lake, I do live close enough for it to impact me. There is not enough parking planned to accommodate the proposed population increase so the street parking in the surrounding neighborhood would be impacted making access to my home more congested causing not only an inconvenience but a safety hazard. There are a lot of students from Scott and Southwest who walk home through that area. Also a lot of the population walk through that access to the shopping center.

Even though my house does not back up to the proposed project, a building of that height would contribute to a more enclosed environment. My house does back up to the Duteau parking lot. It has not been an issue because the height of that building is not encroaching. The back yards of the townhouses impacted would have to be built up by quite a bit to have a sufficient barrier. If Duteau's building were just 10 feet higher, it would be a problem. The proposed building is much higher than that.

Although I understand that something could be built in that area, I agree with the planning commission and Mayor that this a poor plan for that area.

IP: 76.84.3.131

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

User Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/64.0.3282.140 Safari/537.36 Edge/17.17134