AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD MONDAY, MAY 20, 2024 AT 5:30 PM

ACTION

ALL MEMBERS PRESENT

DUE TO THE MEMORIAL DAY HOLIDAY, CITY COUNCIL WILL NOT MEET ON MAY 27, 2024.

PUBLIC HEARING - CONSENT AGENDA

Anyone wishing to address an item on the Consent Agenda may do so at this time.

1. REPORTS OF CITY OFFICERS

1.a. Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on April 22, 2024.
(PLACED ON FILE)

1.b. Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on April 29, 2024.
(PLACED ON FILE)

1.c. Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on May 6, 2024.
(PLACED ON FILE)

1.d. Lincoln electric Financial and Operating Statement for April 2024.
(PLACED ON FILE)

2. PETITIONS & COMMUNICATIONS

2.a. 24R-222
Setting the hearing date of Monday, June 10, 2024 at 3:00 p.m. on the Application of Kinseth Hotel Corporation dba Residence Inn for a Class C Liquor License located at 5865 Boboli Lane.
(ADOPTED, 6-0; ABSENT: BOWERS; A-94606)
SHD 24R-222.pdf

2.b. 24R-223
Setting the hearing date of Monday, June 10, 2024 at 3:00 p.m. on the Application of

Julie Rhule dba Drybar for a Class I Liquor License located at 2900 Pine Lake Road, Suite F.
(ADOPTED, 6-0; ABSENT: BOWERS; A-94607)
SHD 24R-223.pdf

2.c. 24R-224
Setting the hearing date of Monday, June 10, 2024 at 3:00 p.m. on the Application of LINE Associates, LLC dba Hampton Inn & Suites Lincoln South Heritage Park for a Class C Liquor License located at 5922 Vandervoort Drive.
(ADOPTED, 6-0; ABSENT: BOWERS; A-94608)
SHD 24R-224.pdf

2.d. 24R-225
Setting the hearing date of Monday, June 10, 2024 at 3:00 p.m. on the Application of Red Zone Sports Bar & Grill, LLC dba Red Zone Sports Bar & Grill for a Class C Liquor License located at 3111 Northwest 12th Street.
(ADOPTED, 6-0; ABSENT: BOWERS; A-94609)
SHD 24R-225.pdf

2.e. 24R-226
Setting the hearing date of Monday, June 10, 2024 at 3:00 p.m. on the Application of Tailwind LNK, LLC dba Tailwind LNK for an addition of two indoor areas; one on the first floor measuring approximately 65 feet by 38 feet and one that expands the existing area on the second floor at 2400 West Adams Street.
(ADOPTED, 6-0; ABSENT: BOWERS; A-94610)
SHD 24R-226.pdf

2.f. 24R-233
Setting the hearing date of Monday, June 10, 2024 at 3:00 p.m. on the Application of MEEV Lodging, LLC dba Holiday Inn Express & Suites for a Class C Liquor License located at 2200 Wildcat Drive.
(ADOPTED, 6-0; ABSENT: BOWERS; A-94611)
SHD 24R-233.pdf

2.g. 24R-234
Setting the hearing date of Monday, June 10, 2024 at 3:00 p.m. on the Application of Landshark Realty Group, LLC dba Tank's Country for a Class CK Liquor License and a Class E Entertainment District License located at 350 Canopy Street.
(ADOPTED, 6-0; ABSENT: BOWERS; A-94612)
SHD 24R-234.pdf

2.h. 24R-235
Setting the hearing date of Monday, June 3, 2024 at 3:00 p.m. on the Application of RC's Boxing Productions Inc. dba RC's Boxing Productions for an addition of an outdoor area measuring approximately 2 acres behind the establishment at 1555

Yolande Avenue.
(ADOPTED, 6-0; ABSENT: BOWERS; A-94613)
SHD 24R-235.pdf

2.i. REFERRED TO THE PLANNING DEPARTMENT:
Change of Zone 24001 from AG (Agricultural District) to B 2 (Planned Neighborhood Business) over approximately 37.43 acres, generally located at South 84th and Van Dorn Streets.
Change of Zone 24012 from AG (Agricultural District) to R 3 (Residential District) on approximately 10.66 acres, more or less, and from AG (Agricultural District) to R 4 (Residential District) on approximately 12.06 with associated CUP, generally located at the southeast corner of W Old Cheney and SW 12th Street.
Special Permit 24018 to allow a salvage yard use in the I-1 zoning generally located at 4850 N 48th Street.
Special Permit 24019 to allow for a new CUP (Community Unit Plan), for up to 68 dwelling units with associated waivers to setback requirements, totaling 11.72 acres, generally located at the southeast corner of W Old Cheney and SW 12th Street.
Special Permit 418B to amend the existing Southwood 1st Addition CUP (Community Unit Plan) to add a waiver allowing accessory structures to occupy up to 40 percent of the rear yard setback on double frontage lots, generally located on the west side of S. 27th Street between Nebraska Parkway and Old Cheney Road.
Text Amendment 24005, to amend Lincoln Municipal Code 27.06.020(b) to allow more than one main use on a lot or tract in the R-1, R-2, R-3, and R-4 zoning districts for a place of religious assembly; and to amend Lincoln Municipal Code 27.67.040 (j) to add language that allows nonconcurrent uses using the same place of religious assembly that are not also run by the religious institution to share the existing parking spaces without a joint parking agreement.
Use Permit 24001, to allow up to 175,000 square feet of commercial floor area and up to a 100 room hotel with waivers to setbacks, height, block length, and lighting design standards on generally located at South 84th and Van Dorn Streets.

3. MISCELLANEOUS REFERRALS – NONE.

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

4.a. 24R-227
Application of Canyon Joe's Barbecue, LLC dba Canyon Joe's Barbecue for a Class I Liquor License located at 200 South 18th Street.
(ADOPTED FOR APPROVAL, 6-0; ABSENT: BOWERS; A-94614)
24R-227 Canyon Joe's Class I app.pdf
24R-227 Canyon Joe's Class I den.pdf

24R-227 Ltr and App for Canyon Joe's Barbecue - app.pdf

4.b. 24R-228

Manager Application of Joseph T. Hager for Canyon Joe's Barbecue, LLC dba Canyon Joe's Barbecue located at 200 South 18th Street.
(ADOPTED FOR APPROVAL, 6-0; ABSENT: BOWERS; A-94615)
24R-228 Joseph Hager for Canyon Joe's Class I app.pdf
24R-228 Joseph Hager for Canyon Joe's Clas I den.pdf
24R-227 Ltr and App for Canyon Joe's Barbecue - app.pdf

4.c. 24R-229

Application of SMG Food and Beverage, LLC dba Pinnacle Bank Arena for an addition of an indoor area measuring approximately 41 feet by 41 feet and an irregular shaped outdoor area measuring approximately 192 feet by 47 feet at 400 Pinnacle Bank Arena Drive.
(ADOPTED FOR APPROVAL, 6-0; ABSENT: BOWERS; A-94616)
24R-229 PBA Expand app.pdf
24R-229 Pinnacle Bank expand den.pdf
24R-229 Ltr and App for Pinnacle Bank Arena - ADDITION.pdf

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

5.a. 24R-204

Approving the labor contract between the City of Lincoln and the Lincoln Firefighters Association, Local No. 644, International Association of Firefighters (IAFF) for a term effective August 17, 2023 through August 31, 2026. (Related Items: 24R-204, 24-54)
(ADOPTED, 7-0; A-94617)
24R-204 Resolution.pdf
IAFF 2023-2026 contract final.pdf
IAFF Contract Fact Sheet.pdf

5.b. 24R-208

Comprehensive Plan Conformance 24007 - Application of the Urban Development Department to review as to conformance with the 2050 Lincoln-Lancaster Comprehensive Plan, an amendment to the "Greater Downtown Principal Corridors Redevelopment Project", within the Lincoln Center Redevelopment Plan, Antelope Valley Redevelopment Plan, and North 27th Street Corridor Redevelopment, to add the Central at South Haymarket Redevelopment Project to the list of redevelopment project areas to be excluded from the Greater Downtown Principal Corridors Redevelopment Project Area and to update the list and map of redevelopment project areas to be removed from the overall project boundary upon substantial completion, and to revise the amount of TIF available for the project the associated cost-benefit analysis, for the overall project boundary including publicly-and privately-owned

property roughly bounded by 9th to 28th Streets between north side of P and south side of N, and 9th and 10th Streets from south side of K to north side of S Streets, located in sections 23-10-06, 26-10-06, 25-10-06, 24-10,-06, 19-10-07, 30-10-07, Lincoln, Lancaster County, generally located at N to P Streets from 9th to 28th and 9th to 10th Streets from K to S Streets.
(ADOPTED, 7-0; A-94618)
24R-208 Resolution.pdf
24R-208 Attachments.pdf
CPC24007 Summ Rpt.pdf

5.c. 24R-209
Approving the Consultant Agreement between the City on behalf of the City of Lincoln's Risk Management Division and North Risk Partners, LLC., to provide consulting and insurance brokerage services, for a four (4) year term with the option to renew for two (2) additional two (2) year terms for a sum not to exceed $60,000.00 annually.
(ADOPTED, 7-0; A-94619)
24R-209 Resolution.pdf
24R-209 Attachment.pdf

- VOTE ON RESOLUTIONS -

6. PUBLIC HEARING - ORDINANCES 2ND READING & RELATED RESOLUTIONS (ITEMS 6.A. THROUGH 6.D. HAD 2ND READING)

6.a. 24-52
Approving the Land Exchange Agreement by and between the City and Cotswold Management, LLC, involving exchange of properties generally located at 7th and M Streets. Additional Agreements approved with the Land Exchange Agreement included: Protective Covenants and Easement; First Amendment and Restatement of Development Agreement; Nonexclusive Water Quality Easement and Maintenance Agreement; Termination of West Landscape Boundary Wall Easement; Termination of Parking Easement, Access Easement, Maintenance and Enforcement Agreement, and Right of First Refusals; and Boundary Wall, Pedestrian Gate Motor Vehicle Gate, and Fence Easement Agreement. (Related Items: 24-52, 24-53)
24-52 Ordinance.pdf
24-52 Attachment.pdf

6.b. 24-53
Approving Amendment No. 1 to the Real Property Agreement with the West Haymarket JPA for transfers of real property generally located in West Haymarket 4th Addition. (Related Items: 24-52, 24-53)
24-53 Ordinance.pdf
24-53 Attachment.pdf

6.c. 24-54

Amending the pay schedule for certain employee groups by adjusting the pay range for employees whose classifications are assigned to the pay ranges prefixed by the letter "F" to be effective August 17, 2023. (Related Items:24R-204, 24-54)

24-54 Ordinance.pdf
24-54 Attachment.pdf
24-54 Fact Sheet.pdf

6.d. 24-60

Amending Lincoln Municipal Code Section 12.08.010 Definitions to clarify the definition for Hiker-Biker trail; by amending Chapter 12.08 by adding a new section numbered 12.08.025 entitled "Operation on Trails Prohibited" to prohibit operation of certain motorized vehicles on shared use paths and hiker-biker trails; and by amending Section 12.08.280 Rules and Regulations; Waterways to clarify the prohibition of swimming, bathing, or wading in fountains.
24-60 Ordinance.pdf

- END PUBLIC HEARING -

7. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

7.a. 24-56

Text Amendment 24004 - Request of the Lincoln-Lancaster County Planning Department to amend Lincoln Municipal Code Section 27.67.040 Parking Requirements Special Conditions, to remove parking requirements for restaurants, social halls, and on-premises alcohol sales for the B-2 and B-5 zoning districts as it is no longer required.
(PASSED, 7-0; #21603)
24-56 Ordinance (TX24004).pdf
TX24004 Summ Rpt.pdf

7.b. 24-57

Change of Zone 24009 - Application of Nick Dwyer, to change the zone from AGR Agricultural Residential District to R-3 Residential District on the property generally located at S. 70th and Pine Lake Road. (Related Items: 24-57, 24R-205)
(PASSED, 7-0; #21604)
24-57 Ordinance.pdf
24-57 Attachment.pdf
CZ24009 Summ Rpt.pdf

7.c. 24R-205

Special Permit 24011 - Application of Nick Dwyer to allow for a Residential

Healthcare Facility for up to 85 units with a waiver to maximum height on property generally located at S 70th Street and Pine Lake Road. (Related Items: 24-57, 24R-205)
(ADOPTED, 7-0; A-94620)
24R-205 Resolution.pdf
SP24011 Summ Rpt.pdf

7.d. 24-58
Annexation 23008 - Application of Pacific Empire Developers, Inc., to annex approximately 37.75 acres, more or less, and the adjacent N. 70th Street right-of-way on the property generally located at the northwest corner of N. 70th Street and Arbor Road. (Related Items: 24-58, 24-59, 24R-206)
(PASSED, 7-0; #21605)
24-58 Ordinance.pdf
24-58 Attachment.pdf
AN23008 Summ Rpt.pdf

7.e. 24-59
Change of Zone 23057 - Application of Pacific Empire Developers to change the zone from AG Agricultural District to I-1 Industrial District totaling approximately 34.24 acres, more or less, on the property generally located at the northwest corner of N. 70th Street and Arbor Road. (Related Items: 24-58, 24-59, 24R-206)
(PASSED, 7-0; #21606)
24-59 Ordinance.pdf
24-59 Attachment.pdf
CZ23057 Summ Rpt.pdf

7.f. 24R-206
Approving the Conditional Zoning and Annexation Agreement between the City and Pacific Empire Developers, Inc., for the property generally located at northwest corner of 70th and Arbor Road. (Related Items: 24-58, 24-59, 24R-206) (Action Date: 5/20/24)
(ADOPTED, 7-0; A-94621)
24R-206 Resolution.pdf
24R-206 Attachment.pdf

8. RESOLUTIONS - 1ST READING (ITEMS 8.A. & 8.B. HAD 1ST READING)

8.a. 24R-230
Appointing Lynn Sunderman to the Board of Zoning Appeals for a term to expire February 1, 2029.
24R-230 Resolution.pdf

8.b. 24R-231
Accepting and approving the report of new and pending claims against the City for May

1 through May 15, 2024.
24R-231 Resolution.pdf
24R-231 Claims Report.pdf

9. ORDINANCES - 1ST READING & RELATED RESOLUTIONS (ITEMS 9.A. THROUGH 9.D. HAD 1ST READING)

9.a. 24-61
Approving the Memorandum of Understanding between City of Lincoln, Lancaster County and Lincoln-Lancaster County Public Building Commission and Capital Business Systems, Inc., on behalf of Ricoh, USA, Inc., to lease Ricoh copy machines for a term to expire on January 25, 2026 with the option to renew for five (5) one (1) year term.
24-61 Ordinance.pdf
MOU185 - Print Goods and Services - Granicus.pdf

9.b. 24-62
Change of Zone 24011 - Application of the Lincoln-Lancaster County Planning Department to change the zone from H-1 Interstate Commercial Highway to H-3 Highway Commercial District, on property generally located at N 27th Street and Wildcat Drive.
24-62 Ordinance.pdf
24-62 Attachment.pdf
CZ24011 Summary Report.pdf

9.c. 24R-232
Comprehensive Plan Conformance 24009 - Application of Par 72 LLC, to review as to conformance with the 2050 Lincoln Lancaster County Comprehensive Plan, to provide a conservation easement in the City' s favor over the Phase I Flood Storage Area within the West View Planned Unit Development (PUD) on a portion of Outlot D, on property generally located at West A and SW 36th Street. (Related Items: 24R-232, 24-63)
24R-232 Resolution.pdf
24R-232 Attachment.pdf
CPC24009 Summary Report.pdf

9.d. 24-63
Approving the Corporation Warranty Deed from the City of Lincoln to Par 72, LLC., for the property legally described as Lot 131 and Lot 132, Irregular Tracts located in the Southwest Quarter of Section 29, Township 10 North, Range 6, Lincoln Lancaster County, Nebraska. (Related Items: 24R-232, 24-63)
24-63 Ordinance.pdf
24-63 Attachment.pdf

10. PENDING LIST (EXTENDED ONE WEEK)

10.a. 24R-18

Comprehensive Plan Conformance 23019 - Application of the Urban Development Department to review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan, and to adopt the "NW 48th & W Vine Redevelopment Plan", including the "Falcon Corner Redevelopment Project," for the construction of a large retail building and associated commercial uses, on property generally located at NW 48th Street and Interstate 80. (1/22/24 – Action delayed to 1/29/24) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)

CPC23019 SUMMARY REPORT.pdf
24R-18 Resolution.pdf
24R-18 Attachments.pdf
24R-18 Memo to Council.pdf

10.b. 24R-35

Approving the Falcon Corner Project Redevelopment Agreement between the City and FFF, LLC., relating to the redevelopment of the property generally located in the northeast corner of NW 48th Street and Interstate 80. (Related Items: 24R-35, 24R-36, 24-10) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)

24R-35 Resolution.pdf
24R-35 Attachment.pdf

10.c. 24R-36

Amending the FY 2023-2024 CIP to authorize and appropriate $4,290,090.00 in TIF funds for the Falcon Corner Redevelopment Project. (Related Items: 24R-35, 24R-36, 24-10) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)

24R-36 Resolution.pdf

10.d. 24-10

Authorizing the issuance of Tax Allocation Bonds for the Falcon Corner Redevelopment Project in an amount not to exceed $4,290,090.00. (Related Items: 24R-35, 24R-36, 24-10) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)

24-10 Ordinance.pdf

10.e. 23R-638

Comprehensive Plan Amendment 23005- Application of FFF, LLC to amend the Lincoln-Lancaster County 2050 Comprehensive Plan to revise the Future Land Use Map by changing the designation from Industrial Use to Commercial Use, on property generally located at the northeast corner of NW 48th Street and Interstate 80. (Related Items: 23R-638, 23-158, 23R-639, 23-159) (Action date: 1/22/24) (1/8/24 – Public hearing continued to 1/22/24) (1/22/24 – Action delayed to 1/29/24) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)

23R-638 Resolution.pdf
23R-638 Attachment.pdf

CPA23005 SUMMARY REPORT.pdf

10.f. 23-158

Annexation 23005- Application of FFF, LLC., to annex approximately 52 acres, more or less, on the property generally located at the northeast corner of NW 48th Street and Interstate 80. (Related Items: 23R-638, 23-158, 23R-639, 23-159) (1/8/24 – Public hearing continued to 1/22/24) (1/22/24 – Action delayed to 1/29/24) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)

23-158 Ordinance.pdf

23-158 Attachment.pdf

AN23005 SUMMARY REPORT.pdf

10.g. 23R-639

Approving the Conditional Annexation and Change of Zone Agreement between the City, FFF, LLC., and Helen Belle Kitzel Farms, LLC., for property generally located near NW 48th Street and Interstate 80. (Related Items: 23R-638, 23-158, 23R-639, 23-159) (Action date: 1/22/24) (1/8/24 – Public hearing continued to 1/22/24) (1/22/24 – Action delayed to 1/29/24) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)

23R-639 Resolution.pdf

23R-639 Attachment.pdf

10.h. 23-159

Change of Zone 23019 - Application of FFF, LLC., to change the zoning designation of 15 acres more or less, from AG Agricultural District to H-4 Highway Commercial District, on property generally located at the northeast corner of NW 48th Street and Interstate 80. (Related Items: 23R-638, 23-158, 23R-639, 23-159) (1/8/24 – Public hearing continued to 1/22/24) (1/22/24 – Action delayed to 1/29/24) (1/29/24 - Verbal Motion to move item to Pending List - No Date Certain)

23-159 Ordinance.pdf

23-159 Attachment.pdf

CZ23019 SUMMARY REPORT.pdf

10.i. 24-47

Street & Alley Vacation 23005 - Application of Wilderness Crossing, LLC, Kathleen Danker, and Lancaster County to vacate a portion of the South 1st Street right-of-way between Pioneers Blvd. and Old Cheney Road adjacent to the property generally located at South 1st Street and Pioneers Boulevard. (Related Items: 24-47, 24R-185) (5/6/24 - Verbal motion to place Bill No. 24-47 on Pending List, No Date Certain, with continued Public Hearing.)

SAV23005 SUMMARY REPORT.pdf

24-47 Ordinance SAV23005 & SAV24001.pdf

24-47 Attachment A.pdf

24-47 Attachment B.pdf

10.j. 24R-185

Approval of the First Amendment to the Annexation and Change of Zone Agreement for Wilderness Crossing between the City of Lincoln and Wilderness Crossing, LLC., for the property generally located at 4700 S. 1st Street. (Related Items: 24-47, 24R-185) (Action Date: 5/13/24) (5/6/24 - Verbal motion to place Bill No. 24-47 on Pending List, No Date Certain, with continued Public Hearing.)

24R-185 Resolution.pdf

24R-185 Attachment.pdf

PUBLIC COMMENT

Anyone wishing to address the council on a matter not on this agenda, and not planned to appear on a future agenda, may do so at the open microphone session. Individuals are allowed a total of 5 minutes to speak regardless of the number of topics. For the month of May, open microphone sessions will be held on May 13 & 20, 2024.

ADJOURNMENT 7:02P.M.

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The Lincoln City Council meets every Monday at 3 p.m. except for the last Monday of the month which begins at 5:30 p.m. All City Council meetings are aired live on LNKTV City and re-aired later. For a schedule, visitlincoln.ne.gov (keyword: LNKTV). LNKTV City can be found on all three cable television systems: ALLOChannel 2; Spectrum Channel 1300; Kinetic Channel 1005. Meetings are also streamed live at lincoln.ne.gov(keyword: LNKTV) and available later at youtube.com/LNKTVcity.

LNKTV, the City government access group of channels, is now available on Roku and Apple TV. The free apps allow people without cable and those living outside of Lincoln to view livestreamed and archived LNKTV City, Health, and Education programs. Residents with Roku or Apple TV devices will find LNKTV in the channel guide or app store.

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The City Council Agenda and Action Sheet may be accessed on the Internet at: lincoln.ne.gov

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ACCOMMODATION NOTICE

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Lincoln Commission on Human Rights at 402-441-7624, or the City Ombudsman at 402-441-7511 as soon as possible before the scheduled meeting date in order to make your request.