AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD MONDAY, MAY 13, 2024 AT 3:00 PM

ACTION

ALL MEMBERS PRESENT

ELECTION OF CHAIR & VICE CHAIR

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.

LINCOLN POLICE DEPARTMENT COMMUNITY MEMBER AWARDS

COMMUNITY CERTIFICATE OF MERIT WILL BE PRESENTED TO MARIE "ELAINE" SMITH, TONY BISESI, MARY LINGELBACH, RUTH KUPFER, AND LINARA GRACE RENEE CARLSON.

COMMUNITY LIVE SAVING AWARD WILL BE PRESENTED TO BROOKLYN KINDSCHUCH, EMILY SCHNIEDER, ASHLEE ANDERSON, PEDRO ARROYA VARELA, ROBERT FITCH, AND GARY KUHNEL.

COMMUNITY MERITORIOUS CONDUCT AWARD WILL BE PRESENTED TO BRIAN SIMS.

1. REPORTS OF CITY OFFICERS

1.a. 24R-200
Reappointing Becky Hanna to the Lincoln Housing Authority Board for a term to expire July 1, 2029.
(ADOPTED, 7-0; A-94588)
24R-200 Resolution.pdf

1.b. 24R-201
Reappointing Ryan Dale to the City Personnel Board for a term to expire June 22, 2029.
(ADOPTED, 7-0; A-94589)
24R-201 Resolution.pdf

1.c. 24R-202
Reappointing Mike Donlan and Douglas Emery to the Charter Revision Commission for terms to expire July 15, 2028.
(ADOPTED, 7-0; A-94590)

24R-202 Resolution.pdf

1.d. 24R-210
Resolution levying the special taxes assessed for the costs of the improvements in the College View Business Improvement District, Havelock Street Maintenance Business Improvement District, North 27th Street Maintenance Business Improvement District, South Street Maintenance Business Improvement District, University Place Maintenance Business Improvement District, and West O Street Maintenance Business Improvement District.
(ADOPTED, 7-0; A-94591)
Misc BID Reso Levying Assessments 2024.pdf

2. MISCELLANEOUS REFERRALS - NONE.

- VOTE ON CONSENT ITEMS -

3. PUBLIC HEARING - LIQUOR RESOLUTIONS

3.a. 24R-211
Application of O Street Hotel Associates, LLC dba Tru by Hilton for a Class C Liquor License located at 305 North 50th Street.
(ADOPTED FOR DENIAL, 7-0; A-94592)
24R-211 Tru for Class C app.pdf
24R-211 Tru Class C den.pdf
24R-211 Chiefs Letter.pdf

3.b. 24R-212
Manager Application of Amanda M. Cadena for O Street Hotel Associates, LLC dba Tru by Hilton located at 305 North 50th Street.
(ADOPTED FOR DENIAL, 7-0; A-94593)
24R-212 Amanda Cadena for Tru app.pdf
24R-212 Amanda Cadena for Tru den.pdf

3.c. 24R-213
Application of Kinkaider Brewing Co., LLC dba Sideshow Spirits for a special designated license to cover an outdoor area measuring approximately 235 feet by 220 feet at 1630 P Street on June 1, 2024 from 8:00 a.m. to 11:00 p.m.
(ADOPTED FOR APPROVAL, 7-0; A-94594)
24R-213 Sideshow SDL app.pdf
24R-213 Sideshow Spirits SDL den.pdf
WC_Map.pdf
SDL App 1211.pdf

3.d. 24R-214
Application of Seven County Spirits, LLC dba Loup River Distilling for a special

designated license to cover an outdoor area measuring approximately 235 feet by 220 feet at 1630 P Street on June 1, 2024 from 8:00 a.m. to 11:00 p.m.
(ADOPTED FOR APPROVAL, 7-0; A-94595)
24R-214 Loup River Distilling SDL app.pdf
24R-214 Loup River Distilling SDL den.pdf
WC_Map.pdf
SDL App 1248.pdf

3.e. 24R-215
Application of Blended Distilling, LLC dba Blended Distilling for a special designated license to cover an outdoor area measuring approximately 235 feet by 220 feet at 1630 P Street on June 1, 2024 from 8:00 a.m. to 11:00 p.m.
(ADOPTED FOR APPROVAL, 7-0; A-94596)
24R-215 Blended Distilling SDL den.pdf
24R-215 Blended Distilling SDL app.pdf
WC_Map.pdf
SDL App 1243.pdf

3.f. 24R-216
Application of Global Warming Inc. dba The Mill for a special designated license to cover an outdoor area measuring approximately 55 feet by 124 feet at 2021 Transformation Drive on May 25, 2024 from 4:00 p.m. to 10:00 p.m.
(ADOPTED FOR APPROVAL, 7-0; A-94597)
24R-216 SDL The Mill app.pdf
24R-216 SDL The Mill den.pdf
SDL App 1167.pdf

3.g. 24R-217
Application of Site Development Lease Six, LLC dba Scarlet Hotel for a special designated license to cover an outdoor area measuring approximately 55 feet by 124 feet at 2021 Transformation Drive on May 25, 2024 from 4:00 p.m. to 10:00 p.m.
(ADOPTED FOR APPROVAL, 7-0; A-94598)
24R-217 SDL Scarlet Hotel app.pdf
24R-217 SDL Scarlet Hotel den.pdf
Innovation_Campus_SDL_courtyard_map (1).pdf
SDL App 1293.pdf

3.h. 24R-218
Application of Yin Family, LLC dba Hiro 88 for a special designated license to cover an outdoor area measuring approximately 308 feet by 74 feet at Canopy Street from R to Q Street on May 25, 2024 from 2:00 p.m. to 6:00 p.m.
(ADOPTED FOR APPROVAL, 7-0; A-94599)
24R-218 Hiro 88 SDL app.pdf
24R-218 Hiro 88 SDL den.pdf
SDL App 1254.pdf

Food_Truck_Rodeo_MAP.pdf

3.i. 24R-219
Application of Yard Investments, LLC dba Gate 25 for a special designated license to cover an outdoor area measuring approximately 308 feet by 74 feet at Canopy Street from R to Q Street on May 25, 2024 from 2:00 p.m. to 6:00 p.m.
(ADOPTED FOR APPROVAL, 7-0; A-94600)
24R-219 Gate 25 SDL app.pdf
24R-219 Gate 25 SDL den.pdf
Food_Truck_Rodeo_MAP.pdf
SDL App 1290.pdf

3.j. 24R-220
Application of Bar at the Yard, LLC dba Longwells for a special designated license to cover an outdoor area measuring approximately 308 feet by 74 feet at Canopy Street from R to Q Street on May 25, 2024 from 2:00 p.m. to 6:00 p.m.
(ADOPTED FOR APPROVAL, 7-0; A-94601)
24R-220 Longwells SDL app.pdf
24R-220 Longwells SDL den.pdf
SDL App 1291.pdf
20240525_Map_Food_Truck_Rodeo.pdf

3.k. 24R-221
Application of Glacial Till Vineyard & Winery dba Glacial Till Vineyard & Winery for special designated licenses to cover an outdoor area measuring approximately 10 feet by 20 feet at the Haymarket Farmers Market at 7th and P Street on June 1, 8, 15, 22 & 29, July 6, 13, 20 & 27, August 3, 10, 17, 24 & 31, September 7, 14, 21 & 28 and October 5 & 12, 2024 from 8:00 a.m. to 12:00 p.m.
(ADOPTED FOR APPROVAL, 7-0; A-94602)
24R-221 Glacial Till SDL app.pdf
24R-221 Glacial Till Vineyard SDL den.pdf
LNK_FM_Map_(8).pdf
SDL App 1263.pdf

- VOTE ON LIQUORS -

4. PUBLIC HEARING - RESOLUTIONS

4.a. 24R-203
Accepting and approving the report of new and pending claims against the City for April 16 through April 30, 2024.
(ADOPTED, 7-0; A-94603)
24R-203 Resolution.pdf
24R-203 Claims Report.pdf

- VOTE ON RESOLUTIONS -

5. PUBLIC HEARING - ORDINANCES 2ND READING & RELATED RESOLUTIONS (ITEMS 5.A. THROUGH 5.F. HAD 2ND READING)

5.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.

24-56 Ordinance (TX24004).pdf

TX24004 Summ Rpt.pdf

5.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)

24-57 Ordinance.pdf

24-57 Attachment.pdf

CZ24009 Summ Rpt.pdf

5.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)

24R-205 Resolution.pdf

SP24011 Summ Rpt.pdf

5.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)

24-58 Ordinance.pdf

24-58 Attachment.pdf

AN23008 Summ Rpt.pdf

5.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)

24-59 Ordinance.pdf

24-59 Attachment.pdf

CZ23057 Summ Rpt.pdf

5.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)
24R-206 Resolution.pdf
24R-206 Attachment.pdf

- END PUBLIC HEARING -

6. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

6.a. 24-49
Amending Chapter 2.18 of the Lincoln Municipal Code relating to the Purchasing Division by amending Sections 2.18.020 and 2.18.030 to raise the threshold for one-time purchases from $10,000.00 to $50,000.00.
(PASSED, 7-0; #21600)
24-49 Ordinance.pdf

6.b. 24R-186
Approving the Shops at Lincoln Redevelopment Agreement between the City and Shops at Lincoln, LLC, relating to the redevelopment of property generally located at 6400 O Street. (Related Items: 24R-186, 24R-187, 24-50,24-51) (Action Date: 5/13/24)
(ADOPTED, 7-0; A-94604)
24R-186 Resolution.pdf
24R-186 Attachment.pdf

6.c. 24R-187
Amending the FY 23/24 CIP to authorize and appropriate $7,534,974.00 in Tax Increment Financing for the Shops at Lincoln Redevelopment Project. (Related Items: 24R-186, 24R-187, 24-50, 24-51) (Action Date: 5/13/24)
(ADOPTED, 7-0; A-94605)
24R-187 Resolution.pdf

6.d. 24-50
Authorizing the issuance of Tax Allocation Bonds for the Shops at Lincoln Redevelopment Project in an amount not to exceed $7,534,974.00 (Related Items: 24R-186, 24R-187, 24-50, 24-51) (Action Date: 5/13/24)
(PASSED, 7-0; #21601)
24-50 Ordinance.pdf

6.e. 24-51

Authorizing a five tenths of one percent (.5%) Occupation Tax, Effective September 1, 2024, on gross receipts for the operation of a general business within the designated enhanced employment area to be used to pay for construction and operation of Shops at Lincoln generally located at 6400 O Street. (Related to 24R-186, 24R-187, 24-50, 24-51) (Action date 5/13/24)
(PASSED, 7-0; #21602)
24-51 Ordinance.pdf

7. RESOLUTIONS - 1ST READING (ITEMS 7.A. THROUGH 7.C. HAD 1ST READING)

7.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)
24R-204 Resolution.pdf
IAFF 2023-2026 contract final.pdf
IAFF Contract Fact Sheet.pdf

7.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.
24R-208 Resolution.pdf
24R-208 Attachments.pdf
CPC24007 Summ Rpt.pdf

7.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.

24R-209 Resolution.pdf
24R-209 Attachment.pdf

8. ORDINANCES - 1ST READING & RELATED RESOLUTIONS (ITEMS 8.A. THROUGH 8.D. HAD 1ST READING)

8.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

8.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

8.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

8.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

9. PENDING LIST (EXTENDED ONE WEEK)

9.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

9.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

9.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

9.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

9.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

9.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

9.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

9.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

9.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

9.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 4:14P.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.