AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD MONDAY, MAY 06, 2024 AT 3:00 PM

ACTION

ALL MEMBERS PRESENT

MAYOR'S AWARD OF EXCELLENCE

Mayor's Award of Excellence for the month of March 2024 is presented to Scott Parker, from the Lincoln Police Department, in the categories of Productivity and Loss Prevention.

IMMEDIATELY PRIOR TO THE REGULAR CITY COUNCIL MEETING, THE BOARD OF EQUALIZATION WILL CONVENE TO DISCUSS THE ASSESSMENTS AS SHOWN BELOW

AGENDA FOR THE BOARD OF EQUALIZATION MEETING TO BE HELD MONDAY, MAY 6, 2024 AT 3:00 P.M.

ELECTION OF CHAIR

READING OF OPENING STATEMENT OF CHAIR

CITY CLERK READS THE DISTRICTS INTO THE RECORD

COLLEGE VIEW MAINTENANCE BUSINESS IMPROVEMENT DISTRICT generally extending from: South 48th Street between Calvert Street and Pioneers Boulevard.
(APPROVED, 7-0)

HAVELOCK STREET MAINTENANCE BUSINESS IMPROVEMENT DISTRICT generally extending from: Havelock Avenue from Cornhusker Highway on the west to 64th Street on the east.
(APPROVED, 7-0)

NORTH 27TH STREET MAINTENANCE BUSINESS IMPROVEMENT DISTRICT generally extending from: North 26th Street on the west to North 28th Street on the east and from the centerline of O Street on the north to Fair Street on the south primarily including those properties abutting North 27th Street.
(APPROVED, 7-0)

SOUTH STREET MAINTENANCE BUSINESS IMPROVEMENT DISTRICT generally extending from: South Street from the alley west of 9th Street east to 19th Street.
(APPROVED, 7-0)

UNIVERSITY PLACE MAINTENANCE BUSINESS IMPROVEMENT DISTRICT generally extending along North 48th Street from Colby Street on the South to the half block north of Adams Street on the north and along Saint Paul Avenue from North 47th Street to North 50th Street.
(APPROVED, 7-0)

WEST O STREET MAINTENANCE BUSINESS IMPROVEMENT DISTRICT generally along West "O" Street from 3rd Street on the east to Homestead Expressway on the west and including the property abutting the north and south sides of said West "O" Street right-of-way.
(APPROVED, 7-0)

PUBLIC TESTIMONY

REMARKS BY/QUESTIONS OF URBAN DEVELOPMENT DEPARTMENT STAFF

VOTING SESSION

ADJOURNMENT 3:17P.M.
(Sine Die or must set another date and time)

PUBLIC HEARING - CONSENT AGENDA
Anyone wishing to address an item on the Consent Agenda may do so at this time.

AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD MONDAY, MAY 6, 2024 AT 3:00 P.M.

1. REPORTS OF CITY OFFICERS

1.a. 24R-207
Approving the distribution of funds representing interest earnings on short-term investments of IDLE Funds during the month ended March 31, 2024.
(ADOPTED, 7-0; A-94585)
Idle Funds Interest Month Ending 03.31.2024.pdf

1.b. Lincoln Electric Financial and Operating Statement for December 2023.
(PLACED ON FILE)

1.c. 2023 Lincoln Electric System Annual Report.
(PLACED ON FILE)

1.d. Lincoln Electric Financial and Operating Statement for January 2024.
(PLACED ON FILE)

1.e. Lincoln Electric Financial and Operating Statement for February 2024.
(PLACED ON FILE)

1.f. Lincoln Electric Financial and Operating Statement for March 2024.
(PLACED ON FILE)

2. PETITIONS & COMMUNICATIONS

2.a. 24R-198
Setting the hearing date of Monday, May 20, 2024 at 5:30 p.m. on the 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, 7-0; A-94586)
SHD 24R-198.pdf

2.b. 24R-199
Setting the hearing date of Monday, May 20, 2024 at 5:30 p.m. on the 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, 7-0; A-94587)
SHD 24R-199.pdf

2.c. REFERRED TO THE PLANNING DEPARTMENT:
Administrative Amendment 24022 to Special Permit 338, Camp A Way, was approved by the Planning Director on April 15, 2024, to allow six tent sites to be built at the facility, generally located at Superior Street and N 1st Street.
Administrative Amendment 24024 to Special Permit 17022A, Dominion at Stevens Creek, was approved by the Planning Director on April 19, 2024, to adjust the lot widths in Block 3, Dominion at Stevens Creek 8th Addition, thereby increasing the density by 2 single family lots, generally located at N. 105th & Wayborough Lane.

3. MISCELLANEOUS REFERRALS – NONE.

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - ORDINANCES 2ND READING & RELATED RESOLUTIONS (ITEMS 4.A. THROUGH 4.G. HAD 2ND READING, SEE ITEMS 4.A. & 4.B.)

4.a. 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) (VERBAL MOTION TO PLACE BILL NO. 24-47 ON PENDING LIST, NO DATE CERTAIN, WITH CONT'D PUBLIC HEARING, 7-0)
SAV23005 SUMMARY REPORT.pdf
24-47 Ordinance SAV23005 & SAV24001.pdf
24-47 Attachment A.pdf
24-47 Attachment B.pdf

4.b. 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)
(VERBAL MOTION TO PLACE BILL NO. 24R-185 ON PENDING LIST, NO DATE CERTAIN, WITH CONT'D PUBLIC HEARING, 7-0)
24R-185 Resolution.pdf
24R-185 Attachment.pdf

4.c. 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.
24-49 Ordinance.pdf

4.d. 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)
24R-186 Resolution.pdf
24R-186 Attachment.pdf

4.e. 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)
24R-187 Resolution.pdf

4.f. 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)
24-50 Ordinance.pdf

4.g. 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).
24-51 Ordinance.pdf

- END PUBLIC HEARING -

5. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

5.a. 24-44
Text Amendment 24002 - Application of Olsson, Inc. to amend Lincoln Municipal Code Section 27.72.060 Uses Permitted or Prohibited Within Required Yards by changing the allowed distance from the building for air conditioners or heat pumps to four feet instead of three feet for the side yard.
(PASSED, 7-0; #21598)
24-44 Ordinance (TX24002).pdf
TX24002 Summary Rpt.pdf

5.b. 24-45
Change of Zone 07060D - Application of Lincoln Federal Bancorp, Inc., to amend the Wilderness Heights Planned Unit Development (PUD) to allow an increase of 17,000 square feet of commercial space on Block 2, to increase the allowed commercial square footage within the PUD to 231,000 square feet, an increase of 47 unassigned dwelling units for a total of 1,451 allowed units in the PUD, and to allow townhomes on Blocks 8-10 with associated waivers, on the property generally located at the southeast corner of S. 40th Street and Yankee Hill Road.
(PASSED, 7-0; #21599)
24-45 Ordinance.pdf
CZ07060D Summary Rpt.pdf

6. RESOLUTIONS - 1ST READING (ITEMS 6.A. THROUGH 6.D. HAD 1ST READING)

6.a. 24R-200
Reappointing Becky Hanna to the Lincoln Housing Authority Board for a term to expire July 1, 2029.
24R-200 Resolution.pdf

6.b. 24R-201
Reappointing Ryan Dale to the City Personnel Board for a term to expire June 22, 2029.
24R-201 Resolution.pdf

6.c. 24R-202
Reappointing Mike Donlan and Douglas Emery to the Charter Revision Commission for terms to expire July 15, 2028.
24R-202 Resolution.pdf

6.d. 24R-203
Accepting and approving the report of new and pending claims against the City for April 16 through April 30, 2024.
24R-203 Resolution.pdf
24R-203 Claims Report.pdf

7. ORDINANCES - 1ST READING & RELATED RESOLUTIONS (ITEMS 7.A. THROUGH 7.F. HAD 1ST READING)

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

8. PENDING LIST (EXTENDED ONE WEEK)

8.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

8.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

8.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

8.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

8.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

8.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

8.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

8.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

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 3:52P.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.