AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD MONDAY, JUNE 03, 2024 AT 3:00 PM

ACTION

DUE TO THE JUNETEENTH HOLIDAY, CITY COUNCIL WILL NOT MEET ON JUNE 17, 2024.

PUBLIC HEARING - CONSENT AGENDA

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

ALL MEMBERS PRESENT EXCEPT BOWERS AND DUDEN

1. REPORTS OF CITY OFFICERS

1.a. 24R-230
Appointing Lynn Sunderman to the Board of Zoning Appeals for a term to expire February 1, 2029.
(ADOPTED, 5-0; ABSENT: BOWERS AND DUDEN; A-94622)

24R-230 Resolution.pdf

1.b. Report from City Treasurer of city cash on hand at the close of business on March 31, 2024.
(PLACED ON FILE)
Cash Letter March 2024.pdf

1.c. Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on May 13, 2024.
(PLACED ON FILE)

2. PETITIONS & COMMUNICATIONS

2.a. 24R-236
Setting the hearing date of Monday, June 10, 2024 at 3:00 p.m. for the Manager Application of Becky J. Kellogg for Murphy Oil USA Inc. dba Murphy Express 8781 located at 3301 North 85th Street.
(ADOPTED, 5-0; ABSENT: BOWERS AND DUDEN; A-94623)

SHD 24R-236.pdf

2.b. REFERRED TO TRANSPORTATION AND UTILITIES:
Informal petition to create a paving special assessment district for Garland St from N 63rd St to N 64th St submitted by Ginar Majid.

2.c. PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment 24026 to Special Permit 20003, Garden View at Vintage Heights, was approved by the Planning Director on May 8, 2024, to add CUP Note #20 stating that an address location sign will be installed near the entrance to Lots 42-44, to revise the setback table, and to update the plan accordingly, generally located at S 93rd Street and Old Cheney Road.

Administrative Amendment 24018 to Special Permit 228K, Capitol Beach Lake Garage Amendment, was approved by the Planning Director on May 13, 2024, to reduce the front yard setback form 25 feet to 7.5 feet and the side yard setback from 5 feet to 3 feet to allow a fully enclosed attached garage, generally located at 342 W Lakeshore Drive.

Administrative Amendment 24030 to Final Plat 23060, Advantage Trucking Addition, was approved by the Planning Director on May 16, 2024, to correct typographical errors on the Final Plat, generally located at 4201 W O Street.

Waiver 24003, to the Design Standards for Outdoor Lighting standards, was approved by the Planning Director on May 17, 2024, to adjust vertical light trespass for maximum footcandles at the property lines, generally located at 311 S 7th Street.

Administrative Amendment 24033, to Special Permit 1045, Wedgewood Manor, was approved by the Planning Director on May 20, 2024, to rescind the Special Permit which allowed the construction of two roof signs, generally located at 7121 O Street.

Administrative Amendment 24029, to Change of Zone 05054F, Prairie Village North, was approved by the Planning Director on May 21, 2024, to reduce the rear yard setbacks for Block 15, Lots 1-19 and 21 from 20 feet to 15 feet, generally located at N 84th Street and Adams Street.

2.d. REFERRED TO THE PLANNING DEPARTMENT:

Change of Zone 24014, from AG (Agricultural) to I-1 (Industrial), on property generally located at 8401 N 70th Street.

Special Permit 1713D, to amend the Aspen 3rd Addition CUP (Community Unit Plan) to revise the existing site plans for development on Outlot C including up to 100 multifamily dwelling units on property generally located at the northwest intersection of Stephanie Lane and Red Rock Lane. The Planning Commission action is final, unless appealed to the Lincoln City Council.

Change of Zone 24013, from R-4 (residential district) to H-3, (highway commercial district) on property generally located at NW 9th and W Saunders Avenue.

3. MISCELLANEOUS REFERRALS - NONE.

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

4.a. 24R-237

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 FOR APPROVAL, 5-0; ABSENT: BOWERS AND DUDEN; A-94624)
24R-237 RC Boxing Production Expand app.pdf
24R-237 RC Boxing Production expand den.pdf
24R-237 Ltr and Application for RC Boxing.pdf

4.b. 24R-238

Application of Zoo Blues Inc. dba Zoo Bar for a special designated license to cover an outdoor area measuring approximately 516 feet by 195 feet at 14th Street between O and P Street on July 4 & 5 from 2:00 p.m. to 1:00 a.m. and July 6, 2024 from 12:00 p.m. to 1:00 a.m.
(ADOPTED FOR APPROVAL, 5-0; ABSENT: BOWERS AND DUDEN; A-94625)
24R-238 Zoo Bar SDL app.pdf
24R-238 Zoo Bar den SDL.pdf
Zoofest_Map_2024.pdf
SDL App 1305.pdf

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

5.a. 24R-231

Accepting and approving the report of new and pending claims against the City for May 1 through May 15, 2024.
(ADOPTED, 5-0; ABSENT: BOWERS AND DUDEN; A-94626)
24R-231 Resolution.pdf
24R-231 Claims Report.pdf

- VOTE ON RESOLUTIONS -

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

6.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

6.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

6.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

6.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

- END PUBLIC HEARING -

7. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

7.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)

(PASSED, 5-0; ABSENT: BOWERS AND DUDEN; #21607)
24-52 Ordinance.pdf
24-52 Attachment.pdf

7.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)
(PASSED, 5-0; ABSENT: BOWERS AND DUDEN; #21608)
24-53 Ordinance.pdf
24-53 Attachment.pdf

7.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)
(PASSED, 5-0; ABSENT: BOWERS AND DUDEN; #21609)

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

7.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.
(MTA#1, ADOPTED, 5-0; PASSED AS AMENDED, 5-0; ABSENT: BOWERS AND DUDEN; #21610)
24-60 Ordinance.pdf

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

8.a. 24R-239
Reappointing Gloria Aron and Tammy Burton-Fikar to the Aging Partners Areawide Advisory Council for terms to expire June 30, 2027.
24R-239 Resolution.pdf

8.b. 24R-240
Approving the Advertising Agreement between the City of Lincoln on behalf of Lincoln Parks and Recreation and Bench Craft Company to provide revenue from

advertisement to all five municipal golf courses including score cards, benches, and other supplies and equipment for a four year term expiring June 30, 2029.
24R-240 Resolution.pdf
24R-240 Attachment.pdf
Insurance Documentation.pdf

8.c. 24R-241
Approving a LPA Program Agreement between the City of Lincoln and the State of Nebraska Department of Transportation for the use of Federal Carbon Reduction Act funds for the Rock Island Undercrossing at Old Cheney Road.
24R-241 Resolution.pdf
13581 BL2401 CITY OF LINCOLN AND NDOT PROGRAM 5 22.pdf

8.d. 24R-242
Approving the Interlocal Agreement between City of Lincoln and Lancaster County for services provided by Aging Partners.
24R-242 Resolution.pdf
24R-242 Attachment.pdf

8.e. 24R-243
Approving the FY24-25 Annual Action Plan for HUD Entitlement Programs using Community Development Block Grants (CDBG), Home, and Emergency Solution Grant (ESG).
24R-243 Resolution.pdf
Executive Summary FY 24 Annual Action Plan.pdf

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

9.a. 24-64
Approving the Real Estate Exchange Agreement between the City of Lincoln and the County of Lancaster for the property within the block bounded by 8th and 9th, J and K Streets. (Related Items: 24-64, 24-69)
24-64 Ordinance.pdf
24-64 Attachment.pdf

9.b. 24-69
Comprehensive Plan Conformance 24008 and FY2023-2024 CIP Amendment - Declaring approximately the City's 50% ownership interest in the property generally located at 555 S. 9th Street, as surplus and amending the FY2023-2024 CIP to authorize and appropriate $155,000.00 from the Advance Land Acquisition Fund for the "Permanent Supportive Housing for Chronically Homeless Project" at 8th and J Streets.(Related Items 24-64, 24-69)
24-69 Ordinance .pdf
CPC24008 Summ Rpt.pdf

9.c. 24-65

Street Name Change24001 - Application of the City of Lincoln to change the name of W. Monroe Street to W. Monroe Court, due to the proposed cul-de-sac, on the property generally located east of SW 44th Street and W. Monroe Street.

24-65 Ordinance.pdf
24-65 Attachment.pdf
SNC24001 Summary Report.pdf

9.d. 24-66

Text Amendment 24005 - Request of the City of Lincoln Planning Department to amend Lincoln Municipal Code Section 27.06.020 Classification of Use Types 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 by amending Section 27.67.040 Parking Requirements; Special Conditions to allow other primary uses located on a lot or tract with a place of religious assembly to base required parking on the largest parking requirement of any single use.

24-66 Ordinance (TX24005).pdf
TX24005 Summ Rpt.pdf

9.e. 24-67

Annexation 24005 - Application of Planning Department to annex approximately 25.95 acres, more or less, generally located at the southeast corner of W. Old Cheney Road and SW 12th Street. (Related Items: 24-67, 24-68)

24-67 Ordinance.pdf
24-67 Attachment.pdf
AN24005 Summ Rpt.pdf

9.f. 24-68

Change of Zone 24012 - Application of SW Folsom Development, LLC., to change the zone from AG Agricultural District to R-3 Residential District on approximately 10.66 acres, more or less, and change of zone from AG Agricultural District to R-4 Residential District on approximately 12.06, generally located at the southeast corner of W. Old Cheney and SW 12th Street. (Related Items: 24-67, 24-68)

24-68 Ordinance.pdf
24-68 Attachment.pdf
CZ24012 Summ Rpt.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 June, open microphone sessions will be held on June 10 & 24, 2024.

ADJOURNMENT – 3:26 P.M.

***

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.

***

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

***

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.