AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD MONDAY, DECEMBER 16, 2024 AT 5:30 PM

ACTION

ALL MEMBERS PRESENT

PUBLIC HEARING - CONSENT AGENDA

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

DUE TO THE CHRISTMAS & NEW YEAR HOLIDAYS, CITY COUNCIL WILL NOT MEET ON DECEMBER 23 & 30, 2024

1. REPORTS OF CITY OFFICERS

1.a. 24R-573
Appointing Eric Barth to the Air Pollution Control Advisory Board for a term to expire September 1, 2027.
(ADOPTED, 7-0; A-94955)
24R-573 Resolution.pdf

1.b. 24R-574
Appointing Hasan Khalil to the Mayor's Multicultural Advisory Committee for a term to expire September 18, 2027.
(ADOPTED, 7-0; A-94956)
24R-574 Resolution.pdf

1.c. 24R-575
Reappointing Joselyn Luedtke and Piyush Srivastav to the Air Pollution Control Advisory Board for terms to expire September 1, 2027.
(ADOPTED, 7-0; A-94957)

24R-575 Resolution.pdf

1.d. 24R-580
Reappointing Chelsea Johnson to the Lincoln Electric System Administrative Board for a term to expire December 31, 2027.
(ADOPTED, 6-1; A-94958)
24R-580 Resolution.pdf

1.e. 24R-576
Approving a Professional Services Agreement Supplement No. 4 for preliminary engineering services between the City of Lincoln and Olsson, Inc., for 84th St. & US-6 Intersection Safety Project.
(ADOPTED, 7-0; A-94959)

24R-576 Resolution.pdf
84th & US-6 Fact Sheet
705299_PE_CWO_4_Agreement_Scanned.pdf

1.f. 24R-598
Resolution levying the assessments approved by the City Council sitting as the Board of Equalization on December 9, 2024 and setting the interest rate on those assessments for the costs of the improvements in the Downtown Management Business Improvement District, Downtown Core Management Business Improvement District, Downtown Maintenance District, and the West Haymarket/Downtown Maintenance District.
(ADOPTED, 7-0; A-94960)
24R-598 BID_Levy_Assess_Reso_2024.pdf

1.g. Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on November 18, 2024.
(PLACED ON FILE)

1.h. 2023 City Law Department Annual Report.
(PLACED ON FILE)

2. PETITIONS & COMMUNICATIONS

2.a. 24R-581
Setting the hearing date of Monday, January 6, 2025 at 3:00 p.m. for the Manager Application of Kevin Clark for Zipline Brewing Co., LLC dba Zipline Brewing Co. Beer Hall located at 5740 Hidcote Drive, Suite B.
(ADOPTED, 7-0; A-94961)
SHD 24R-581.docx
SHD 24R-581.pdf

2.b. 24R-582
Setting the hearing date of Monday, January 13, 2025 at 3:00 p.m. on the Application of Opulent Nails Spa, LLC dba Opulent Nail & Spa for a Class I Liquor License located at 8415 Maddox Drive, Suite 102.
(ADOPTED, 7-0; A-94962)
SHD 24R-582.docx
SHD 24R-582.pdf

2.c. 24R-583
Setting the hearing date of Monday, January 13, 2025 at 3:00 p.m. for the Manager Application of Aiden Burkitt for HopCat LN, LLC dba HopCat Lincoln located at 601 P Street.
(ADOPTED, 7-0; A-94963)

SHD 24R-583.docx
SHD 24R-583.pdf

2.d. REFERRED TO THE PLANNING DEPARTMENT:
Special Permit 24038, for the existing H-4 Planned Service Commercial to permit 167,000 square feet of commercial space on approximately 18 acres with an associated waiver to the LMC Design Standards for sanitary sewers on property generally located at 10955, 11105 and 11111 South 14th Street.
Text Amendment 24012, to amend the Lancaster County Zoning Regulations (LCZR) Article 2 Definitions, Article 4.005 Permitted Conditional Uses, Article 4.007 Permitted Special Uses and Article 13 Special Permits by adding a new definition for annual attraction event, changing agricultural attraction from a conditional to special permitted use with conditions, removing amusement license and adding as a conditional use annual attraction event.
Text Amendment 24013 to amend the Lincoln Municipal Code (LMC) 27.02.020 (A) Definitions, 27.06.060 Agricultural Use Group, 27.06.150 Commercial Recreation and Entertainment Facilities Use Group, 27.62.030 Agricultural Use Group, 27.62.120 Commercial Recreation and Entertainment Facilities Use Group, and 27.63 Special Permits by adding a new definition for annual attraction event, changing agricultural attraction from a conditional to special permitted use with conditions, removing amusement license and adding as conditional use annual attraction event.

3. MISCELLANEOUS REFERRALS - NONE.

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

4.a. 24R-584
Application of Restaurante La Union, LLC dba Restaurante La Union for a Class I Liquor License located at 844 South Street.
(ADOPTED FOR APPROVAL, 7-0; A-94964)
24R-584 Restaurante La Union Class I app.pdf
24R-584 Restaurante La Union Class I den.pdf
24R-584 Ltr and App for Restaurante La Union.pdf

4.b. 24R-585
Manager Application of Miriam D. Lopez for Restaurante La Union, LLC dba Restaurante La Union located at 844 South Street.
(ADOPTED FOR APPROVAL, 7-0; A-94965)
24R-585 Miriam Lopez for Restaurante La Union Class I app.pdf
24R-585 Miriam Lopez for Restaurante La Union den.pdf
24R-584 Ltr and App for Restaurante La Union.pdf

4.c. 24R-586

Application of Cornhusker State Fine Wine & Spirits, LLC dba Total Wine, Spirits, Beer & More for a Class C Liquor License located at 6400 O Street, Suite 300.
(ADOPTED FOR APPROVAL, 7-0; A-94966)
24R-586 Total Wine for Class C app.pdf
24R-586 Total Wine for Class C den.pdf
24R-586 Ltr and App for TotalWIne.pdf

4.d. 24R-587

Manager Application of Jim Lofreddo for Cornhusker State Fine Wine & Spirits, LLC dba Total Wine, Spirits, Beer & More located at 6400 O Street, Suite 300.
(ADOPTED FOR APPROVAL, 7-0; A-94967)
24R-587 Jim Loefreddo for Total Wine app.pdf
24R-587 Jim Lofreddo for Total Wine den.pdf
24R-586 Ltr and App for TotalWIne.pdf

4.e. 24R-588

Application of Rez, LLC dba Moran's Liquor Works for a Class CGK Liquor License located at 3400 A Street.
(ADOPTED FOR APPROVAL, 6-1; A-94968)
24R-588 Morans for Class CGK app.pdf
24R-588 Morans for Class CGK den.pdf
24R-588 Ltr and App for MoransLiquorWorks.pdf

4.f. 24R-589

Manager Application of Lori Rezac for Rez, LLC dba Moran's Liquor Works located at 3400 A Street.
(ADOPTED FOR APPROVAL, 6-1; A-94969)
24R-589 Lori Rezac for Morans app.pdf
24R-589 Lori Rezac for Morans den.pdf
24R-588 Ltr and App for MoransLiquorWorks.pdf

4.g. 24R-590

Manager Application of John Domant for MMG Properties, LLC dba C Station located at 1120 South Coddington Avenue.
(ADOPTED FOR APPROVAL, 7-0; A-94970)
24R-590 John Domant for C Station app.pdf
24R-590 John Domant for C Station den.pdf
24R-590 Ltr and App for CStation - manager - John Domant.pdf

4.h. 24R-591

Manager Application of John Domant for Pine Lake II, LLC dba C Station located at 1401 Pine Lake Road.
(ADOPTED FOR APPROVAL, 7-0; A-94971)
24R-591 John Domant for C Station app.pdf

24R-591 John Domant for C Station den.pdf
24R-591 Ltr and App for CStation - manager - John Domant.pdf

4.i. 24R-592
Manager Application of Marilyn R. Slattery for Countryview Studios Inc. dba Art & Soul located at 5740 Hidcote Drive, Suite A.
(ADOPTED FOR APPROVAL, 7-0; A-94972)
24R-592 Marilyn Slattery for Art & Soul app.pdf
24R-592 Marilyn Slattery for Art & Soul den.pdf
24R-592 Ltr and App for ArtSoul - manager - Marilyn Slattery.pdf

4.j. 24R-593
Application of Tailwind LNK, LLC dba Tailwind LNK for an additional two indoor areas, one on the first floor measuring approximately 65 feet by 38 feet and one on the second floor measuring approximately 480 feet by 60 feet at 2400 West Adams Street.
(VERBAL MOTION TO DELAY FOR 3 WEEKS TO 1/6/25, 7-0)
24R-593 Tailwind LNK expand den.pdf
24R-593 Ltr and App for Tailwind LNK - ADDITION.pdf

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

5.a. 24R-577
Accepting and approving the report of new and pending claims against the City for November 15 through November 30, 2024.
(MTA#1 ADOPTED, 7-0; ADOPTED AS AMENDED, 7-0; A-94973)
24R-577 Resolution.pdf
24R-577 Claims Report.pdf
24R-577 (Motion to Amend No. 1).pdf

5.b. 24R-579
Approving the Microsoft Enterprise Agreement between the City and Microsoft Corporation granting the City license to use Microsoft products for a 36-month term. Accepting the quote from Insight Public Sector to provide the Microsoft software products for a term of 36 months for a total expenditure of $4,160,712.93 and authorizing expenditure in the same amount. Authorizing the Purchasing Agent to procure the Microsoft Products under State of Nebraska Contract #15764.
(ADOPTED, 7-0; A-94974)
24R-579 Resolution.pdf
Information Services Division - City of Lincoln EA Rnwl pre-signed.pdf
NE Information Services Division - City of Lincoln-final renewal 2024.12.04v2 ckb.pdf

5.c. 24R-578
A resolution expressing the City's gratitude and honoring the outstanding service and

dedication of Lori Seibel.
(ADOPTED, 7-0; A-94975)

- VOTE ON RESOLUTIONS -

6. ORDINANCES - 3RD READING & RELATED RESOLUTIONS - PUBLIC HEARING & ACTION

6.a. 24-130
Change of Zone 24018 - Application of Sesostris Temple Holding Corp., to change the zoning designation from AG Agricultural District to H-4 Highway Commercial District, on approximately 15 acres on the property generally located north of the O Street and Anthony Lane intersection. (Related Items: 24-130, 24R-526, 24R-527) (11/18/24 – Verbal Motion to Delay with continued Public Hearing & Action two weeks to 12/2/24) (12/2/24 – Verbal Motion to Delay with continued Public Hearing & Action two weeks to 12/16/24)
(VERBAL MOTION TO DELAY AND MOVE TO PENDING LIST NO DATE CERTAIN, 7-0)
24-130 Ordinance.pdf
24-130 Attachment.pdf
CZ24018 Summary Report.pdf

6.b. 24R-526
Special Permit 24030 - Application of Sesostris Temple Holding Corp., to allow a planned service commercial development with associated waivers on the property generally located north of the O Street and Anthony Lane intersection. (Related Items: 24-130, 24R-526, 24R-527) (Action Date: 12/2/24) (11/18/24 – Verbal Motion to Delay with continued Public Hearing & Action two weeks to 12/2/24) (12/2/24 – Verbal Motion to Delay with continued Public Hearing & Action two weeks to 12/16/24)
(VERBAL MOTION TO DELAY AND MOVE TO PENDING LIST NO DATE CERTAIN, 7-0)
24R-526 Resolution.pdf
SP24030 Summary Report.pdf

6.c. 24R-527
Approving the Conditional Zoning Agreement between the City and Sesostris Temple Holding Corp., for the property generally located at 95th and O Street. (Related Items: 24-130, 24R-526, 24R-527) (Action Date: 12/2/24) (11/18/24 – Verbal Motion to Delay with continued Public Hearing & Action two weeks to 12/2/24) (12/2/24 – Verbal Motion to Delay with continued Public Hearing & Action two weeks to 12/16/24)
(VERBAL MOTION TO DELAY AND MOVE TO PENDING LIST NO DATE CERTAIN, 7-0)

24R-527 Resolution.pdf
24R-527 Attachment.pdf

7. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

7.a. 24-129

Approving an Agreement for Tower Space and Appurtenances between the City and Cellco Partnership, a Delaware partnership d/b/a Verizon Wireless to occupy and use certain city-owned parcel of real property and Tower generally located at 2201 S. 84th Street. (12/2/24 - Verbal Motion to Delay for 1 week to 12/9/24)
(12/9/24 - Verbal Motion to Delay for 1 week to 12/16/24) (VERBAL MOTION TO DELAY FOR 4 WEEKS TO 1/13/25, 7-0)
24-129 Ordinance.pdf
24-129 Attachment.pdf

7.b. 24-140

Annexation 24009 - Application of NebHoldings, LLC., to annex approximately 36.59 acres, on property generally located at NW 48th Street and W Holdrege Street. (Related Items: 24-140, 24-141, 24R-564)
(PASSED, 6-0; #21688; ABSTAINED: BECKIUS)
24-140 Ordinance.pdf
24-140 Attachment.pdf
ANNEXTION 24009 Summary Report.pdf

7.c. 24-141

Change of Zone 24025 - Application of NebHoldings, LLC., to change the zoning designation from AG Agricultural to R-5 Residential PUD (Planned Unit Development) and B-2 Planned Neighborhood Business District PUD, on property generally located at NW 48th Street and W Holdrege Street. (Related Items: 24-140, 24-141, 24R-564)
(MTA#1 ADOPTED, 6-0; PASSED AS AMENDED, 6-0; #21689; ABSTAINED: BECKIUS)
24-141 MTA.pdf
24-141 Substitute Ordinance.pdf
24-141 Ordinance.pdf
24-141 Attachment.pdf
CZ24025 Summary Report.pdf

7.d. 24R-564

Approving the Conditional Annexation and Change of Zone Agreement for Falcon Heights between the City and NebHoldings, LLC., for the property generally located at the southeast corner of NW 48th Street and W. Holdrege Streets. (Related Items: 24-140, 24-141, 24R-564)
(MTA#1 ADOPTED, 6-0; ADOPTED AS AMENDED, 6-0; A-94976; ABSTAINED: BECKIUS)

24R-564 MTA.pdf
24R-564 Resolution.pdf
24R-564 Substitute Attachment.pdf
24R-564 Attachment.pdf

7.e. 24-142

Change of Zone 05061G - Application of Nebraska Horseman's Benevolent and Protective Association, to amend the Southwest Village Planned Unit Development to allow an increase in gaming positions from 1,210 to 1,350 and modification to the W. Denton Road access with associated waivers on property generally located at 7055 S 1st Street.
(PASSED, 7-0; #21690)
24-142 Ordinance.pdf
CZ05061G Summary Report pdf.pdf

7.f. 24-143

Miscellaneous 24007 - Vacating the final plat of G & C 3rd Addition generally located at 2100 Magnum Circle and 235 S Coddington Avenue.
(PASSED, 7-0; #21691)
24-143 Ordinance.pdf
24-143 Attachment G & C 3rd Addition.pdf
MISC24007 Summary Report.pdf

7.g. 24-144

Text Amendment 24014 - Application of Nebraska Sign Company to amend Lincoln Municipal Code Section 27.69.090 Places of Religious Assembly, Schools, and Community Playhouses to clarify the language describing permissible freestanding signage.
(PASSED, 7-0; #21692)
24-144 Ordinance (TX24014).pdf
TX24014 Summary Report.pdf

7.h. 24-145

Annexation 24001 - Application of Firefox Properties, LLC., to annex approximately 37.43 acres of property generally located at South 84th and Van Dorn Streets.
(Related Items: 24-145, 24R-565, 24-146, 24R-566, 24R-567)
(PASSED, 7-0; #21693)
24-145 Ordinance.pdf
24-145 Attachment.pdf
AN24001 Summary Report.pdf

7.i. 24R-565

Comprehensive Plan Amendment 24001 - Application of Firefox Properties, LLC., to amend the Future Land Use Plan of the Lincoln Lancaster County 2050 Comprehensive Plan, to change the future land use designation from Urban-Density

Residential to Commercial on property generally located at South 84th and Van Dorn Streets. (Related Items: 24-145, 24R-565, 24-146, 24R-566, 24R-567)
(ADOPTED, 7-0; A-94977)
24R-565 Resolution.pdf
24R-565 Attachment.pdf
CPA24001 Summary Report.pdf

7.j. 24-146
Change of Zone 24001 - Application of Firefox Properties, LLC., to change the zoning designation from AG Agricultural District to B-2 Planned Neighborhood Business on property generally located at South 84th and Van Dorn Streets. (Related Items: 24-145, 24R-565, 24-146, 24R-566, 24R-567)
(PASSED, 7-0; #21694)

24-146 Ordinance.pdf
24-146 Attachment.pdf
CZ24001 Summary Report.pdf

7.k. 24R-566
Approving the Annexation Agreement for Firefox Development between City and Firefox Properties, LLC, for the property generally located at the northeast corner of the intersection of S. 84th Street and Van Dorn Street. (Related Items: 24-145, 24R-565, 24-146, 24R-566, 24R-567)
(ADOPTED, 7-0; A-94978)
24R-566 Resolution.pdf
24R-566 Attachment.pdf

7.l. 24R-567
Use Permit 24001 - Application of Firefox Properties LLC., 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 property generally located at South 84th and Van Dorn Streets. (Related Items: 24-145, 24R-565, 24-146, 24R-566, 24R-567)
(ADOPTED, 7-0; A-94979)
24R-567 Resolution.pdf
UP24001 Summary Report.pdf

- END PUBLIC HEARING & VOTE ON ORDINANCES & RELATED RESOLUTIONS-

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

8.a. 24R-594
Approving a Professional Services Agreement Supplement No. 2 for preliminary engineering services between the City of Lincoln and Olsson, Inc., for Cornhusker Hwy, 39th Street to L55X.

24R-594 Resolution.pdf
CN 13497 Sup#2 city-council-fact-sheet.pdf
CN_13497_Supplement_2.pdf

8.b. 24R-595
Approving a LPA Programming Agreement between the City of Lincoln and State of Nebraska Department of Transportation for the use of Surface Transportation Block Grant (STPBR) funds for preliminary engineering, construction, and construction engineering of bridge structure for W. South Street crossing over Salt Creek.
24R-595 Resolution.pdf
13617 W South St Bridge - city council fact sheet.pdf
13617 W South St Bridge - program document.pdf
13617 Exh B RESOLUTION.pdf

8.c. 24R-596
Use Permit 126H - Application of Wilderness Woods Holding, LLC to amend the existing use permit to allow free standing signs to be located on any internal lot or outlot, within the boundary of the use permit, on property generally located at 8700 Executive Woods Drive.
24R-596 Resolution.pdf
UP126H Summary Report.pdf

8.d. 24R-597
Approving the contract between the City of Lincoln and Patagonia Health, Inc. for Electronic Health Records Replacement for a five (5) year term with option to renew for five (5) additional one (1) year terms.
24R-597 Resolution.pdf
24-011 Contract Revised.pdf

9. ORDINANCES - 1ST READING & RELATED RESOLUTIONS (ITEM 9.A. HAD 1ST READING)

9.a. 24-146
Change of Zone 07060E - Application of Lincoln Federal Bancorp, Inc. to amend the Wilderness Heights Planned Unit Development (PUD) to add approximately .5 acres, and to increase the maximum number of single family dwelling units from 270 to 279 with associated waivers on the property generally located at the southeast corner of S. 42nd Street and Wilderness Hills Boulevard.
24-146 Ordinance.pdf
CZ07060E 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 December, open microphone sessions will be held on December 9 & 16, 2024.

ADJOURNMENT 7:56 P.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.