

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD
MONDAY, OCTOBER 04, 2021 AT 3:00 PM**

**DUE TO COLUMBUS DAY/INDIGENOUS PEOPLES' DAY, CITY COUNCIL WILL NOT MEET
ON MONDAY, OCTOBER 11, 2021**

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.** 21R-452
Appointing Davetta Nelson to the Commission on Human Rights for a term to expire December 31, 2023.
[21R-452 Resolution.pdf](#)
- 1.b.** 21R-453
Appointing Maribel Cruz and Rich Rodenburg to the Lincoln-Lancaster County Planning Commission for terms to expire August 24, 2027.
[21R-453 Resolution.pdf](#)
- 1.c.** 21R-454
Approving the 2021-2022 Joint Budget Committee Funding recommendations.
[21R-454 Resolution.pdf](#)
[21R-454 Attachment A.pdf](#)
- 1.d.** Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on September 27, 2021.
(Placed on file)

2. PETITIONS & COMMUNICATIONS

- 2.a.** 21R-476
Setting the hearing date of Monday, October 18, 2021, at 3:00 p.m. on the application of Clavin's LLC dba Barry's for a Class CK Liquor License located at 235 N. 9th Street.
[SHD 21R-476.pdf](#)
- 2.b.** 21R-477
Setting the hearing date of Monday, October 18, 2021, at 3:00 p.m. on the application of DACC, LLC dba Gravity Lincoln for a Class CK Liquor License located at 1140 O Street.
[SHD 21R-477.pdf](#)

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

Administrative Approval 21040, to Special Permit 17022, Dominion at Stevens Creek, approved by the Planning Director on September 15, 2021, to adjust lots that were previously shown as single family detached to single family attached in various areas. Those adjustments created a new increase of 9 lots to the CUP, on property generally located at N. 105th Street and O Street.

Administrative Approval 21049, to Use Permit 132D, Willowbrook Shopping Center, approved by the Planning Director on September 20, 2021, to increase the allowed floor area on Lot 5, Block 1 to 7,000 square feet thereby increasing the total amount of floor area to 249,218 square feet, on property generally located at South 70th Street and Highway 2.

Waiver to Design Standards 21006, Dominic Addition, approved by the Planning Director on September 16, 2021, to adjust the Outdoor Lighting standards for light trespass across the alley contrary to Chapter 3.100, Section 9.A 1. This request is being made to allow the redeveloper to light the parking lot on the north side of the alley for safety and security reasons by using a light fixture mounted on the north exterior wall of one of the new proposed buildings on the south side of the alley, on property generally located at 25th Street and Vine Street.

2.d. REFERRED TO THE PLANNING DEPARTMENT:

Change of Zone 08066C, amending the existing Antelope Village PUD (Planned Unit Development) to add the Mixed-Use Designation on two lots and add density for a residential development with requested waivers, on property generally located north of P Street between 22nd and 23rd Streets.

Change of Zone 21035, from H-3 (Highway Commercial District) to I-1 (Industrial District), on property generally located at 3301 West O Street.

Change of Zone 21036, from R-1 (Residential District) to O-3 PUD (Planned Unit Development), with associated waivers, on property generally located at S. 70th and South Streets.

Special Permit 04010A, to allow for the sale of alcohol for consumption both on and off the premises, on property generally located at 7301 South 27th Street.

Text Amendment 21008, to amend Title 26 Land Subdivision and 27 Zoning

Ordinance by amending Title 26 Land Subdivision to add a new Chapter 26.13 entitled "Procedure for Processing Lot Consolidation" to establish when lot consolidation is permitted, describe the application process, describe staff review process, and establish requirements for Lot Consolidation Plats; by amending Chapter 27.60 Planned Unit Development District to add a new section numbered 27.60.070 entitled "Clarification During Review"; by amending Chapter 27.63 Special Permits to add a new section numbered 27.63.035 entitled "Clarification During Review"; by amending Chapter 27.64 Use Permits to add a new section numbered 27.64.020 entitled "Clarification During Review"; by amending Chapter 27.65 Community Unit Plan to add a new section numbered 27.65.065 entitled "Clarification During Review"; and repealing Sections 26.11.060, 26.19.031, and 26.23.040 as hitherto existing.

3. MISCELLANEOUS REFERRALS

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

- 4.a.** 21R-480
Manager application of Jianbin Dong for Fushun Inc. dba Imperial Palace located at 701 N. 27th Street.
[21R-480 Jianbin Dong for Imperial Palace Class I app.pdf](#)
[21R-480 Jiandin Dong for Imperial Palace den.pdf](#)
[21R-480 Ltr and App for Jianbin Dong for Imperial Palace.pdf](#)

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

- 5.a.** 21R-455
Authorizing an application to the Nebraska Game & Parks Commission for Land and Water Conservation grant funding assistance to construct a trail and pedestrian/bicycle bridge over Salt Creek along the Rock Island Trail alignment.
[21R-455 Resolution.pdf](#)
[LWCF Resolution.pdf](#)
[Project Site Map.pdf](#)
- 5.b.** 21R-456
Text Amendment 21007, request of the Planning Director, to amend Title 3 Design Standards for Zoning Regulations by amending Chapter 3.85 Capitol Environs Design Standards Section 4 - Design Standards and Guidelines, Design Standard 22: Centennial Mall Landscape and Design Standard 23: Lincoln Mall Landscape to provide additional guidance for placement of monuments and memorials along Centennial Mall and Lincoln Mall; and repealing Section 4 of Chapter 3.85 as hitherto existing.
[21R-456 Resolution TX21007.pdf](#)
[TX21007 - SUMMARY REPORT.pdf](#)
[21R-456 Attachment A.pdf](#)
- 5.c.** 21R-457
Co-sponsoring the 2021 Veterans Day Parade and authorizing up to \$10,000 in expenditures for the Parade from the 2021-2022 Contingency and City Council reappropriation funds.
[21R-457 Resolution.pdf](#)

- 5.d.** 21R-458
Establishing the property tax levy for the City's 2021-22 fiscal year.
[21R-458 Resolution.pdf](#)

- VOTE ON RESOLUTIONS -

6. PUBLIC HEARING - ORDINANCES 2ND READING & RELATED RESOLUTIONS

- 6.a.** 21-120
Approving the Lease Schedule No 2 and related documents to the Master Lease Purchase Agreement for lease purchase financing of maintenance equipment in the amount not to exceed \$714,284.64.
[21-120 Ordinance.pdf](#)
[21-179 fact sheet.pdf](#)
[21-179 BciCapital.pdf](#)
[21-179 BciCapital Response & Attach.pdf](#)
[21-179 Bid docs.pdf](#)
- 6.b.** 21-121
Approving a one year lease between City and Bennet American Legion Post #280, for the lease of office space by Aging Partners for its Senior Center program at 970 Monroe, Bennet, NE, for a term of 1 year from September 1, 2021 to August 31, 2022.
[21-121 Ordinance.pdf](#)
[21-121 Attachment.pdf](#)
- 6.c.** 21-122
Approving the Lease Agreement between the City and Firth Community Center for the lease of office space by Aging Partners for its Senior Center program at 311 Nemaha St., Firth, NE for a term of 1 year from September 1, 2021 to August 31, 2022.
[21-122 Ordinance.pdf](#)
[21-122 Attachment.pdf](#)
- 6.d.** 21-123
Approving the Lease Agreement between the City and Asian Community & Cultural Center, for the lease of office space by Aging Partners for its Senior Care program at 144 N. 44th Street, Ste. A, Lincoln, NE for a term of 1 year from September 1, 2021 to August 31, 2022.
[21-123 Ordinance.pdf](#)
[21-123 Attachment.pdf](#)
- 6.e.** 21-124
Approving Lease Agreement between City of Lincoln and the City of Hickman for the lease of office space by Aging Partners for its Senior Center program at the Hickman Community Center, 115 Locust Street, Hickman, NE for a term of 1 year from

September 1, 2021 to August 31, 2022.

[21-124 Ordinance.pdf](#)

[21-124 Attachment.pdf](#)

- 6.f.** 21R-459
Approving the Gatehouse Rows Redevelopment Agreement between Gatehouse Row, LP and the City of Lincoln relating to the redevelopment of the property generally located at R Street, Vine Street and 36th Street. (Related Items: 21R-459, 21R-460, 21-125)
[21R-458 Resolution.pdf](#)
[21R-459 Attachment.pdf](#)
- 6.g.** 21R-460
Amending the FY 2021-2022 CIP to authorize and appropriate \$2,000,000 in TIF funds for the Gatehouse Rows Redevelopment Project. (Related Items: 21R-459, 21R-460, 21-125)
[21R-460 Resolution.pdf](#)
- 6.h.** 21-125
Authorizing the issuance of Tax Allocation Bonds for the Gatehouse Rows Redevelopment Project in an amount not to exceed \$2,000,000.
(Related Items: 21R-459, 21R-460, 21-125)
[21-125 Ordinance.pdf](#)
- 6.i.** 21-126
Change of Zone 21032 - Application of High Bar Properties, LLC, for a change from R-2 Residential District to O-2 Suburban Office District, on property generally located at 2152 S. 56th Street. (Related Items: 21-126, 21R-461)
[21-126 Resolution.pdf](#)
[21-126 Attachment.pdf](#)
[CZ21032 - SUMMARY REPORT.pdf](#)
- 6.j.** 21R-461
Approving Conditional Zoning Agreement between the City and High Bar Properties, LLC for property generally located at 2152 S. 56th Street.
(Related Items: 21-126, 21R-461)
[21R-461 Resolution.pdf](#)
[21R-461 Attachment.pdf](#)
- 6.k.** 21-127
Change of Zone 21030 - Application of Lee Douglas Property Management for a change from O-2 Suburban Office District to B-3 Commercial District, on property generally located at 4821 Lowell Avenue. (Related Items: 21-127, 21R-462)
[21-127 Ordinance.pdf](#)
[21-127 Attachment.pdf](#)

[CZ21030 - SUMMARY REPORT.pdf](#)

- 6.l.** 21R-462
Approving Conditional Zoning Agreement between the City and Lee Douglas Property Management for property generally located at 4821 Lowell Avenue. (Related Items: 21-127, 21R-462)
[21R-462 Resolution.pdf](#)
[21R-462 Attachment.pdf](#)
- 6.m.** 21-128
Amending Lincoln Municipal Code Chapter 14.70 Excavations to require no less than 48 hours notice to the Transportation and Utilities Right-of-Way Division prior to beginning excavation, requiring all work be done pursuant to the City of Lincoln's Standard Specifications, Standard Plans, and Traffic Control Guidelines, and requiring permittees to provide a two-year warranty on the work; and repealing Sections 14.70.010, 14.70.030, 14.70.040, and 14.70.050 as hitherto existing.
[21-128 Ordinance Chapter 14.70.pdf](#)

- END PUBLIC HEARING -

7. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

- 7.a.** 21-117
Change of Zone 21031 -Application of Anderson Homes, Inc., from AGR Agricultural Residential District to R-3 residential District, on property generally located at 2701 West A Street. (Related Items: 21-117, 21R-449)
[21-117 Ordinance.pdf](#)
[21-117 Attachment.pdf](#)
[CZ21031 - SUMMARY REPORT.pdf](#)
- 7.b.** 21R-449
Approving a Conditional Zoning Agreement between the City and Anderson Homes, Inc., for property generally located at 2701 West A Street.
(Related Items: 21-117, 21R-449)
[21R-449 Resolution.pdf](#)
[21R-449 Attachment.pdf](#)
- 7.c.** 21-119
Approving a Real Estate Purchase Agreement between the City and 4D Properties, LLC for sale of City owned property generally located at 1301 S. 120th St.
[21-119 Ordinance.pdf](#)
[21-119 Attachment.pdf](#)
[Fact Sheet 1301 S 120th.pdf](#)

8. ORDINANCE FOR RECONSIDERATION - ACTION ONLY

- 8.a.** 21-89
Amending Chapter 5.41 of the Lincoln Municipal Code relating to Salvaging, Recycling, and Composting Operations to adopt regulations and permitting requirements for businesses and individuals engaged in the buying and selling of catalytic converters. (9/27/21 - MTA#2 ADOPTED, 5-0; MOTION TO DELAY ONE WEEK TO 10/4/21)

9. RESOLUTIONS - 1ST READING

- 9.a.** 21R-471
Reappointing Marty Ramirez and Lanetta Edison-Soe to the Multicultural Advisory Committee for terms to expire September 18, 2024.
[21R-471 Resolution.pdf](#)
- 9.b.** 21R-472
Approving a System and Communications Protection Policy and System and Information Integrity Policy for the City of Lincoln and Lancaster County enterprise network. (Consent)
[21R-472 Attachment.pdf](#)
[21R-472 Resolution.pdf](#)
- 9.c.** 21R-473
Approving a Service Maintenance Agreement between the City and Accelerated Technology Laboratories. Inc. for a Laboratory Information Management System to be used by the Lincoln Wastewater Sanitary Engineering. (CONSENT)
[21R-473 Resolution.pdf](#)
[2021 ATL's Terms and Conditions for Lincoln.pdf](#)
[Quote](#)
- 9.d.** 21R-474
Accepting and approving the report of new and pending claims against the City for September 16 through September 30, 2021.
[21R-474 Resolution.pdf](#)
[21R-474 Claims Report.pdf](#)
- 9.e.** 21R-475
Approval of Amendment No. 3 to the Conditional Annexation Agreement for Hub Hall Heights between the City and Apples Way, LLC to amend the provisions related to the construction of W. Holdrege Street between NW 48th Street and W. Chitwood Lane.
[21R-475 Resolution.pdf](#)
[21R-475 Attachment.pdf](#)
- 9.f.** 21R-478
Appeal of Denial of Request for Deviation, from Access Management Policy

requirements for North 27th Street and Enterprise Drive.

[21R-478 Resolution.pdf](#)

[21R-478 Attachment.pdf](#)

- 9.g.** 21R-479
Appeal of Denial of Request for Deviation from Access Management Policy requirements for 5601 Union Hill Road.

[21R-479 Resolution.pdf](#)

[21R-479 Attachment.pdf](#)

- 9.h.** 21R-481
Authorizing the issuance of multifamily housing revenue bonds (Gatehouse Rows Project) in an aggregate principal amount not to exceed \$10,000,000 on behalf of Gatehouse Rows, LLC to provide funds to finance a portion of the costs of the acquisition, construction and equipping of a 98-unit multifamily housing project, including related and subordinate facilities; authorizing and approving certain documents in connection with the issuance of the bonds; and authorizing certain other actions in connection with the issuance of the bonds.

[21R-481 Resolution.pdf](#)

[21R-481 TEFRA Notice.pdf](#)

10. ORDINANCES - 1ST READING & RELATED RESOLUTIONS

- 10.a.** 21-129
Approving an extension to the Food and Beverage Services Agreement for the Pinnacle Bank Arena and Related Facilities between the City and SMG Food and Beverage, LLC dba SAVOR to October 31, 2022.

[21-129 Ordinance.pdf](#)

- 10.b.** 21-130
Approving an extension of the Second Management Agreement for Pinnacle Bank Arena between the City of Lincoln and SMG for the operation and management of Pinnacle Bank Arena and other Facilities to October 31, 2022.

[21-130 Ordinance.pdf](#)

11. PENDING LIST

- 11.a.** 20-19
Annexation 19006 - Application of Hoy Prairie South, LLC to annex approximately 9.30 acres of property generally located at South 33rd Street and Rokeby Road. (Related Items: 20-19, 20-20, 20R-69) (3/2/2020 - Placed on Pending, No Date Certain)

[20-19 Ordinance.pdf](#)

[20-19 Attachment A.pdf](#)

[AN19006 - SUMMARY REPORT.pdf](#)

- 11.b.** 20-20
Change of Zone 19015 - Application of Hoy Prairie South, LLC for a change of zone from AG Agricultural District to R-3 Residential District on property generally located at South 33rd Street and Rokeby Road. (Related Items: 20-19, 20-20, 20R-69)
(3/2/2020 - Placed on Pending, No Date Certain)
[20-20 Ordinance.pdf](#)
[20-20 Attachment A.pdf](#)
[CZ19015 - SUMMARY REPORT.pdf](#)
- 11.c.** 20R-69
Approving a Conditional Annexation Agreement between the City and Hoy Prairie South, LLC for property generally located south of S. 33rd Street and Rokeby Road. (Related Items: 20-19, 20-20, 20R-69) (3/2/2020 - Placed on Pending, No Date Certain)
[20R-69 Resolution.pdf](#)
[20R-69 Attachment A.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 October, open microphone sessions will be held on October 18 & October 25, 2021.

ADJOURNMENT

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, visit lincoln.ne.gov (keyword: LNKTV). LNKTV City can be found on all three cable television systems: ALLO Channel 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 Director of Equity and Diversity, Lincoln Commission on Human Rights, at (402) 441-7624 as soon as possible before the scheduled meeting date in order to make your request.