

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD
MONDAY, SEPTEMBER 14, 2020 AT 3:00 PM**

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.** 20R-336
Approving an Interlocal Agreement between the City and Fillmore County to define the mutual and separate responsibilities of each in the operation, management, support, monitoring, and evaluation of the Fillmore County Senior Services Program.
[20R-336 Resolution.pdf](#)
[Interlocal2020.pdf](#)
- 1.b.** 20R-337
Approving an Interlocal Agreement between the City and Seward County to define the mutual and separate responsibilities of each in the operation, management, support, monitoring, and evaluation of the Seward County Senior Services Program.
[20R-337 Resolution.pdf](#)
[Interlocal2020 seward.pdf](#)
- 1.c.** 20R-340
Reappointing Thomas Christie, Tom McFarland, Mitch Miller, and Amir Azimi to the Mayor's Multicultural Advisory Committee for terms to expire September 18, 2023.
[20R-340 Resolution.pdf](#)
- 1.d.** 20R-341
Reappointing Lucas Sabalka and Debra McGuire to the Air Pollution Control Advisory Board for terms to expire September 1, 2023.
[20R-341 Resolution.pdf](#)
- 1.e.** 20R-342
Appointing Elizabeth VanWormer to the Air Pollution Control Advisory Board for a term to expire September 1, 2023.
[20R-342 Resolution.pdf](#)
[VanWormer App.pdf](#)
- 1.f.** 20R-365
Approving the distribution of funds representing interest earnings on short-term investments of Idle Funds during the month ended July 31, 2020.
[Idle Fund Res 7.20.pdf](#)
- 1.g.** Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on August 24, 2020. (Placed on file)

[Clerk's Letter.pdf](#)

- 1.h. Report from City Treasurer of city cash on hand at the close of business on July 31, 2020. (Placed on file)
[Cash Letter July 2020.pdf](#)
- 1.i. Lincoln Electric System Financial and Operating Statement for April, June, and July, 2020. (Placed on file)
[LES April.pdf](#)
[LES June.pdf](#)
[LES July.pdf](#)

2. PETITIONS & COMMUNICATIONS

- 2.a. 20R-366
Setting the hearing date of Monday, September 21, 2020 at 3:00 p.m. on the Application of Kosovo, LLC dba Napoli's for a Class I Liquor License at 800 Q Street, Suite 100.
[Napoli's Setting the Hearing Date Reso.pdf](#)
- 2.b. 20R-367
Setting the hearing date of Monday, September 21, 2020 at 3:00 p.m. on the Application of Besi and Zeki, LLC dba Napoli's for an addition of an indoor area measuring 21' x 40' at 5571 South 48th Street.
[Napoli's Expansion Setting the Hearing Date Reso.pdf](#)
- 2.c. 20R-368
Setting the hearing date of Monday, September 21, 2020 at 3:00 p.m. on the Application of Robber's Cave, LLC dba Robber's Cave Event Center for an addition of the entire cave complex plus an outdoor area measuring approximately 109' x 81' x 54' at 925 Robbers Cave Road. (Consent)
[Robber's Cave Setting the Hearing Date Reso.pdf](#)
- 2.d. 20R-369
Setting the hearing date of Monday, September 28, 2020 at 5:30 p.m. on the Application of Pillar at Home Inc. dba Venue at Home for a Class C Liquor License at 4107 Pioneer Woods Drive, Suite 104.
[Venue at Home Setting the Hearing Date Reso.pdf](#)
- 2.e. 20R-370
Setting the hearing date of Monday, September 28, 2020 at 5:30 p.m. on the Application of O&HSP, LLC dba Ollie & Hobbs Craft Kitchen for a Class C Liquor License at 2940 Pine Lake Road, Suite A.
[Ollie & Hobbs Setting the Hearing Date Reso.pdf](#)

- 2.f.** 20R-371
Setting the hearing date of Monday, September 21, 2020 at 3:00 p.m. on the Manager Application of Chelsea R. Loparco for Pepperjax Development, LLC dba Good Evans at 6891 A Street, Suite 102.
[Loparco Setting the Hearing Date Mang App Reso.pdf](#)
- 2.g.** 20R-372
Setting the hearing date of Monday, September 21, 2020 at 3:00 p.m. on the Manager Application of John R. Fritz for Aldi Inc. dba Aldi 25 at 8350 O Street.
[Fritz Aldi 25 Setting the Hearing Date Mang App Reso.pdf](#)
- 2.h.** 20R-373
Setting the hearing date of Monday, September 21, 2020 at 3:00 p.m. on the Manager Application of John R. Fritz for Aldi Inc. dba Aldi 27 at 8701 South 28th Street.
[Fritz Aldi 27 Setting the Hearing Date Mang App Reso.pdf](#)
- 2.i.** 20R-374
Setting the hearing date of Monday, September 21, 2020 at 3:00 p.m. on the Manager Application of Lauren A. Wegman for RAAJ Lincoln Lessee, LLC dba Graduate Lincoln at 141 North 9th Street.
[Wegman Setting the Hearing Date Mang App Reso.pdf](#)
- 2.j.** PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:
Administrative Amendment 20041 to Use Permit 123E, Landmark Corporate Center, approved by the Planning Director on August 14, 2020, to create four lots, 13A-13D from the previous Lot 13, Block 2, show a new access to N. 33rd Street with a right turn lane, and add Lots 13A-13D to the lighting trespass waiver in General Note 34, generally located at North 33rd Street and Ox Box Circle.
Administrative Amendment 20045 to Special Permit 18041, Waterford Estates Townhomes, approved by the Planning Director on August 21, 2020, to reduce the rear yard setback from 20 feet to 15 feet for Block 2, generally located at North 102nd and Boathouse Road.
- 2.k.** REFERRED TO THE PLANNING DEPARTMENT:
Special Permit 1827A, to allow for a height extension of a tower to 121 feet, on property generally located at 1346 Saunders Avenue.
Special Permit 20031, to allow for the use of part of an existing building for classrooms with up to 40 students, on property generally located at 1035 North 33rd Street.
Text Amendment 20005, amending Chapter 27.56 Capitol Environs District of the Lincoln Municipal Code by amending Section 27.56.050 Membership, to add a fourth Ex Officio Member to the Nebraska Capitol Environs Commission, and repealing Section 27.56.050 of the Lincoln Municipal Code as hitherto existing.

3. MISCELLANEOUS REFERRALS

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

4.a. 20R-377

Application of Top Spin, LLC dba Tavern on the Square for a special designated license to cover an outdoor area measuring approximately 35 feet x 30 feet at 816 P Street on September 26, 2020 from 11:00 a.m. to 12:00 a.m.

[20R-377 Tavern on the Square SDL 9-26-20 app.pdf](#)

[20R-377 Tavern on the Square SDL 9-26-20 den.pdf](#)

[20R-377 Tavern on the Square SDL #109 9-26-20 .pdf](#)

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

5.a. 20R-338

Special Permit 04009A - Application of Schubert Real Estate Management, LLC to revise the land use and site layout with waivers to setbacks on property generally located at 2110 North 86th Street.

[20R-338 Resolution.pdf](#)

[SP04009A - SUMMARY REPORT.pdf](#)

5.b. 20R-339

Supporting the continuation of a policy allowing Dreamers to continue to legally work and study in this country.

[20R-339 Resolution.pdf](#)

[20R-339 Motion to Amend No. 1.pdf](#)

[20R-339 Resolution - MTA1.pdf](#)

5.c. 20R-343

Approving the updated fees schedule for ambulance services during FY 2020-21 and 2021-22.

[20R-343 Resolution.pdf](#)

[20R-343 Attachment A.pdf](#)

[20R-343 2020 Rate Resolution Council Presentation_REB.pdf](#)

- VOTE ON RESOLUTIONS -

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

6.a. 20-221

Change of Zone 20022 - Application of the Planning Director for a change from P

Public Use District and I-1 Industrial District to O-1 Office District and from P Public Use District to I-1 Industrial District on property generally located on J Street between S. 6th Street and S. 9th Street.

[20-221 Ordinance.pdf](#)

[20-221 Attachment A.pdf](#)

[CZ20022 - SUMMARY REPORT.pdf](#)

- 6.b.** 20-222
Change of Zone 20025 - Application of Black Forest Holdings, LLC, from R-1 Residential District to O-3 Office Park District on property generally located at South 61st Street and Old Cheney Road.

[20-222 Ordinance.pdf](#)

[20-222 Attachment A.pdf](#)

[CZ20025 - SUMMARY REPORT.pdf](#)

- END PUBLIC HEARING -

7. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

- 7.a.** 20-111
Approving a Fifth Lease Addendum between the City and Silver Properties, LLC for a three year term.

[20-111 Ordinance.pdf](#)

[20-111 Attachment A.pdf](#)

- 7.b.** 20-217
Approving a Fourth Amendment to the Agreement for Tower and Appurtenances between the City and Celco Partnership dba Verizon Wireless to install conduit and fiber optic line in Van Dorn Park along the trail right-of-way.

[20-217 Ordinance.pdf](#)

[2020 Fourth Amendment Conduit Extension, Verizon.pdf](#)

[2020 SIGNED Verizon Conduit Extension Drawings.pdf](#)

- 7.c.** 20-218
Annexation 20001 - Application of Sundance, LLC, to annex approximately 49 acres on property generally located at South 40th Street and Rokeby Road. (Related Items: 20-218, 20-219, 20R-331)

[20-218 Ordinance.pdf](#)

[20-218 Attachment A.pdf](#)

[AN20001 - SUMMARY REPORT.pdf](#)

- 7.d.** 20-219
Change of Zone 20002 - Application of Sundance, LLC, for a change from AG Agricultural District to R-5 Residential District Planned Unit Development and from AG Agricultural District to O-3 Office Park District Planned Unit Development with

associated waivers, on property generally located at South 40th Street and Rokeby Road. (Related Items: 20-218, 20-219, 20R-331)

[20-219 Ordinance.pdf](#)

[CZ20002 - SUMMARY REPORT.pdf](#)

- 7.e. 20R-331
Approving a Conditional Zoning and Annexation Agreement for 40th and Rokeby Road between the City, Bryan Medical Center, and Sundance, LLC for the annexation and development of property generally located at South 40th Street and Rokeby Road. (Related Items: 20-218, 20-219, 20R-331)
[20R-331 Resolution.pdf](#)
[20R-331 Attachment A.pdf](#)

8. RESOLUTIONS - 1ST READING

- 8.a. 20R-358
Approving Beacon Lounge as a keno satellite located at 311 South 11th Street. (Consent)
[20R-358 Resolution.pdf](#)
- 8.b. 20R-359
Approving the 2020-2021 Joint Budget Committee Funding recommendations. (Consent)
[20R-359 Resolution.pdf](#)
[20R-359 Attachment A.pdf](#)
- 8.c. 20R-360
Accepting and approving the report of new and pending claims against the City for August 16 through 31, 2020.
[20R-360 Resolution.pdf](#)
[20R-360 Claims Report.pdf](#)
- 8.d. 20R-361
Approving a resolution supporting submittal of a Land and Water Conservation Fund grant for renovation of Irvingdale and Rudge Parks.
[20R-361 Resolution.pdf](#)
[LWCF Resolution.pdf](#)
- 8.e. 20R-375
A resolution honoring the memory and service of Lincoln Police Officer Luis 'Mario' Herrera.
[20R-375 Resolution.pdf](#)
- 8.f. 20R-376
Approving a Service Agreement between the City and Idemia identity and Security

USA, LLC for equipment, services, and software license for fingerprint equipment for LPD. (Consent)

[20R-376 Resolution.pdf](#)

[Idemia Service Agreement.pdf](#)

9. ORDINANCES - 1ST READING & RELATED RESOLUTIONS

- 9.a.** 20-222
Annexation 20004 - Application of Hampton Enterprises, Inc., to annex approximately 14.7 acres and adjacent rights-of-way, on property generally located at South 70th Street and Yankee Hill Road. (Related Items: 20-222, 20R-362, 20-223, 20R-363)
[20-222 Ordinance.pdf](#)
[20-222 Attachment A.pdf](#)
[AN20004 - SUMMARY REPORT.pdf](#)
- 9.b.** 20R-362
Approving an Annexation Agreement for Harvest Hills between the City and Hampton Enterprises, Inc., for the annexation of property generally located at South 70th Street and Yankee Hill Road. (Related Items: 20-222, 20R-362, 20-223, 20R-363)
[20R-362 Resolution.pdf](#)
[20R-362 Attachment A.pdf](#)
- 9.c.** 20-223
Change of Zone 20005 - Application of Hampton Enterprises, Inc., for a change from AG Agricultural District to B-2 Planned Neighborhood Business District, on property generally located at South 70th Street and Yankee Hill Road. (Related Items: 20-222, 20R-362, 20-223, 20R-363)
[20-223 Ordinance.pdf](#)
[20-223 Attachment A.pdf](#)
[CZ20005 - SUMMARY REPORT.pdf](#)
- 9.d.** 20R-363
Use Permit 20003 - Application of Hampton Enterprises, Inc., to allow up to 120,000 square feet of commercial floor area and up to 120 multi-family dwellings within the B-2 Planned Neighborhood Business District, with waivers to allow shared parking, adjust the parking rate to 1 space per 300 square feet of floor area for all commercial uses, adjust setbacks, allow light trespass across lot lines, and allow sanitary sewer to flow opposite street grade, on property generally located at South 70th Street and Yankee Hill Road. (Related Items: 20-222, 20R-362, 20-223, 20R-363)
[20R-363 Resolution.pdf](#)
[UP20003 - SUMMARY REPORT.pdf](#)
- 9.e.** 20-224
Text Amendment 20005 - Amending Chapter 27.56 Capitol Environs District of the Lincoln Municipal Code by amending Section 27.56.050 Membership to add a fourth

ex officio member to the Nebraska Capitol Environs Commission; and repealing Section 27.56.050 as hitherto existing.

[20-224 Ordinance \(TX20005\).pdf](#)
[TX20005 - SUMMARY REPORT.pdf](#)

- 9.f.** 20-225
Amending Title 4 of the Lincoln Municipal Code to create a Commission on the Status of Women and Gender by adding Chapter 4.70 entitled “Commission on Women and Gender” to the Lincoln Municipal Code.
[20-225 Ordinance.pdf](#)

10. PENDING LIST

- 10.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](#)
- 10.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](#)
- 10.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](#)
- 10.d.** 20R-245
Appeals by Nancy Selzer, et al., (24 appeals submitted) of the Planning Commission's conditional approval of Special Permit 20013 to allow for a Community Unit Plan (CUP) with associated waivers to setbacks, lot area, block length, and the sanitary sewer design standards on property generally located at South 46th and Hillside Streets. (7/20/20 - Action delayed one week to 7/27/20) (7/27/20 - Action delayed 2

weeks to 08/10/20) (8/10/20 - Action delayed one week to 8/17/20) (8/17/20 -
Placed on Pending, No Date Certain)
[20R-245 Resolution.pdf](#)
[SP20013 -APPEAL - 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 September, open microphone sessions will be held on September 21 & September 28, 2020.

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.

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.