

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD
MONDAY, SEPTEMBER 28, 2020 AT 5:30 PM**

**DUE TO COLUMBUS DAY/INDIGENOUS PEOPLES' DAY, THE CITY COUNCIL WILL NOT
MEET ON MONDAY, OCTOBER 12, 2020**

ANNOUNCEMENT

Limited seating is available in the Council Chambers or you may wait in the Bill Luxford Studio or the hallway until your item is called. Then you can enter the Council Chambers & come to the podium. After you are finished speaking, you can exit the chambers through the door to your immediate left.

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-378
Appointing Katie D. Graf to the Parks and Recreation Advisory Board for a term to expire April 28, 2023.
[20R-378 Resolution.pdf](#)
- 1.b.** 20R-379
Appointing Christopher Stokes to the Veterans' Memorial Garden Advisory Committee for a term to expire November 1, 2022.
[20R-379 Resolution.pdf](#)
[Stokes App.pdf](#)
[Stokes_Civ_Bio_May15.pdf](#)
- 1.c.** 20R-380
Appointing Connie Edmond to the Pinnacle Bank Arena Advisory Committee for a term to expire April 15, 2026.
[20R-380 Resolution.pdf](#)
[Edmond App.pdf](#)
- 1.d.** 20R-381
Approving an Interlocal Agreement between the City and York County to define the mutual and separate responsibilities of each in the operation, management, support, monitoring, and evaluation of the York County Senior Services Program.
[20R-381 Resolution.pdf](#)
[Interlocal2020 YORK.pdf](#)
- 1.e.** 20R-382
Approving a contract between the City and Union Bank & Trust Company for Lockbox Services for a four year term, for a sum not to exceed \$176,000, pursuant to Bid No. 20-165.

[20R-382 Resolution.pdf](#)

[20-165 CONTRACT-Lockbox Services-Union Bank.pdf](#)

1.f. 20R-383

Approving a contract between the City and Seeds of Life Nursery & Landscaping Inc., for 2020 Fall Surety Tree Projects for a two year term, for a sum not to exceed \$29,808, pursuant to Bid No. 20-175.

[20R-383 Resolution.pdf](#)

[20-175 Seeds of Life contract.pdf](#)

[Seeds of Life COI 4-01-21.pdf](#)

[20-175 bid documents.pdf](#)

1.g. 20R-384

Approving a contract between the City and Seeds of Life Nursery & Landscaping Inc., for 2020 West "O" Streetscape Trees for a two year term, for a sum not to exceed \$34,389, pursuant to Bid No. 20-183. (Consent)

[20R-384 Resolution.pdf](#)

[20-183 Seeds of Life contract.pdf](#)

[Seeds of Life COI 4-1-20.pdf](#)

[20-183 bid documents.pdf](#)

2. PETITIONS & COMMUNICATIONS

2.a. 20R-406

Setting the hearing date of Monday, October 19, 2020 at 3:00 p.m. on the Application of El Mejor Mexican Restaurant, Inc., dba El Mejor Mexican Restaurant for a Class I Liquor License at 3111 NW 12th Street.

[El Mejor Mexican Setting the Hearing Date Reso.pdf](#)

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

Administrative Amendment 20049 to Special Permit 872J, Firethorn Community Unit Plan, approved by the Planning Director on September 8, 2020, to revise the lot layout showing Lots 149-151 divided into five lots, thereby increasing the number of dwelling units shown on the plan by 2 for a total of 315, generally located at South 84th and Van Dorn Street.

Administrative Amendment 20050 to Use Permit 123E, Landmark Corporate Center, approved by the Planning Director on September 8, 2020, to change the uses for Lots 6A and 6B, Block 4, from office to office/warehouse and increase the floor area for Lot 6B, from 21,000 square feet to 25,000 square feet, generally located at North 33rd Street and Salt Creek Circle.

Administrative Amendment 20051 to Special Permit 20051, Capital City Horse and Pony Club, approved by the Planning Director on September 10, 2020, to add a new bathroom building, generally located at North 14th Street and Mill Road.

- 2.c. REFERRED TO THE PLANNING DEPARTMENT:**
 Change of Zone 2179K, to amend the Central Park Planned Unit Development (PUD), to allow an early childhood care facility with up to children and rezone properties from I 2 (Industrial Park District) Planned Unit Development to H 2 (Highway Business District) Planned Unit Development, on property generally located at 5201 'R' Street.
 Change of Zone 12018B, to amend the Holdrege/Idylwild Planned Unit Development by adding fraternities and sororities as a Group Living Use and allowing signage per the B 1 zoning requirements, on property generally located at 3535 Holdrege Street.
 Change of Zone 20026, from P (Public District) to O 3 (Business District), on property generally located at 5600 South 27th Street.
 Use Permit 20010, to allow for a health care facility, with associated waivers, on property generally located at 5600 South 27th Street.
 Special Permit 20032, to allow for the sale of alcohol for consumption off the premises, on property generally located at 2510 South 48th Street.
 Special Permit 20033, to allow for the reconstruction of two non-conforming signs, on property generally located at 233 North 48th Street.

3. MISCELLANEOUS REFERRALS

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

- 4.a.** 20R-402
 Application of Pillar at Home Inc. dba Venue at Home for a Class C Liquor License at 4107 Pioneer Woods Drive, Suite 104.
[20R-402 Pillar at Home Inc dba Venue at Home Class C app.pdf](#)
[20R-402 Pillar at Home Inc dba Venue at Home Class C den.pdf](#)
[20R-402 & 20R-403 Letter and Application for Venue at Home and Manager Application for Michael S. Ritter.pdf](#)
- 4.b.** 20R-403
 Manager Application of Michael S. Ritter for Pillar at Home Inc. dba Venue at Home at 4107 Pioneer Woods Drive, Suite 104.
[20R-403 Michael S. Ritter for Pillar at Home Inc dba Venue at Home app.pdf](#)
[20R-403 Michael S. Ritter for Pillar at Home Inc dba Venue at Home den.pdf](#)
[20R-402 & 20R-403 Letter and Application for Venue at Home and Manager Application for Michael S. Ritter.pdf](#)
- 4.c.** 20R-404
 Application of O&HSP, LLC dba Ollie & Hobbs Craft Kitchen for a Class C Liquor License at 2940 Pine Lake Road, Suite A.
[20R-404 O&HSP, LLC dba Ollie & Hobbs Craft Kitchen Class C app.pdf](#)

[20R-404 O&HSP, LLC dba Ollie & Hobbs Craft Kitchen Class C den.pdf](#)
[20R-404 & 20R-405 Letter and Application for Ollie & Hobbes Craft Kitchen.pdf](#)

- 4.d.** 20R-405
Manager Application of Jason T. Kuhr for O&HSP, LLC dba Ollie & Hobbs Craft Kitchen at 2940 Pine Lake Road, Suite A.
[20R-405 Jason T. Kuhr for O&HSP, LLC dba Ollie & Hobbs Craft Kitchen app.pdf](#)
[20R-405 Jason T. Kuhr for O&HSP, LLC dba Ollie & Hobbs Craft Kitchen den.pdf](#)
[20R-404 & 20R-405 Letter and Application for Ollie & Hobbes Craft Kitchen.pdf](#)

- 4.e.** 20R-407
Application of Swig LLC dba 9 South Chargrill to temporarily expand its Class IK liquor license to temporarily add an additional outdoor area measuring 16 feet x 19 feet x 35 feet at 844 South Street.
[20R-407 9 South Chargrill - LB1056 app.pdf](#)
[20R-407 9 South Chargrill - Dine Out Lincoln den.pdf](#)
[20R-407 Application - 9 South Chargrill - Dine Out.pdf](#)

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

- 5.a.** 20R-385
Approving Amendment No. 4 to the Annexation Agreement for the Rokeby Road Coalition between the City and members of the Rokeby Road Coalition to accelerate the construction of the Rokeby Road Paving Improvements from Carpathian Way to South 84th Street and to reflect the adjustments to the obligations of the Parties.
[20R-385 Resolution.pdf](#)
[20R-385 Attachment A.pdf](#)
- 5.b.** 20R-395
Accepting and approving the report of new and pending claims against the City for September 1 through 15, 2020.
[20R-395 Resolution.pdf](#)
[20R-395 Claims Report.pdf](#)

- VOTE ON RESOLUTIONS -

- END PUBLIC HEARING -

6. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

- 6.a.** 20-222A
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: 20-222A, 20R-362, 20-223, 20R-363)
[20-222A Ordinance.pdf](#)
[20-222A Attachment A.pdf](#)
[20-222A - SUMMARY REPORT.pdf](#)

- 6.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: 20-222A, 20R-362, 20-223, 20R-363)
[20R-362 Resolution.pdf](#)
[20R-362 Attachment A.pdf](#)

- 6.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: 20-222A, 20R-362, 20-223, 20R-363)
[20-223 Ordinance.pdf](#)
[20-223 Attachment A.pdf](#)
[CZ20005 - SUMMARY REPORT.pdf](#)

- 6.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: 20-222A, 20R-362, 20-223, 20R-363)
[20R-363 Resolution.pdf](#)
[UP20003 - SUMMARY REPORT.pdf](#)

- 6.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](#)

- 6.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](#)

7. RESOLUTIONS - 1ST READING

- 7.a. 20R-399
Reappointing David McBride and Sharon Wherry to the Pinnacle Bank Advisory Committee for terms to expire April 15, 2026.
[20R-399 Resolution.pdf](#)
- 7.b. 20R-400
Establishing the property tax levy for the City's 2020-21 fiscal year.
[20R-400 Resolution.pdf](#)

8. ORDINANCES - 1ST READING & RELATED RESOLUTIONS

- 8.a. 20-226
Approving a Second Amendment to Lease Agreement between the City and Experian for the lease of approximately 30,000 square feet of office space in the building located at 949 West Bond Street for a period of six months with the option to renew for additional six month terms not to exceed a total of five years.
[20-226 Ordinance.pdf](#)
[20-226 Attachment A.pdf](#)
- 8.b. 20-227
Change of Zone 2179K - Application of Community Action Partnership of Lancaster and Saunders Counties on behalf of 3 AP-52 & R, LLC for a change from I-2 Industrial Park District to H-2 Highway Business District on property generally located at 5201 R Street.
[20-227 Ordinance.pdf](#)
[CZ2179K - SUMMARY REPORT.pdf](#)
- 8.c. 20-228
Change of Zone 12018B - Application of Stallion Ventures, LLC, to amend the Holdrege/Idylwild Redevelopment Planned Unit Development by adding fraternities and sororities as a Group Living Use and allowing signage per the B-1 zoning requirements, on property generally located at 3535 Holdrege Street.
[20-228 Ordinance.pdf](#)
[CZ12018B - SUMMARY REPORT.pdf](#)
- 8.d. 20-232
Approving Amendment No. 1 to Real Estate Purchase Agreement between the City and TNGG Capital, LLC for property located at the Northeast corner of 27th & Old Cheney Road. (Related items: 20-232, 20-229, 20R-401)
[20-232 Ordinance.pdf](#)
[20-232 Attachment.pdf](#)
- 8.e. 20-229

Change of Zone 20026 - Application of TNNG Capital, LLC, for a change from P Public Use District to O-3 Office Park District, on property generally located at 5600 South 27th Street. (Related Items: 20-232, 20-229, 20R-401)

[20-229 Ordinance.pdf](#)

[20-229 Attachment A.pdf](#)

[CZ20026 - SUMMARY REPORT.pdf](#)

8.f. 20R-401

Use Permit 20010 - Application of TNNG Capital, LLC, to allow for a health care facility, with associated waivers to reduce the side yard setback, front yard setback, and reduce required parking, on property generally located at 5600 South 27th Street. (Related Items: 20-232, 20-229, 20R-401)

[20R-401 Resolution.pdf](#)

[UP20010 - SUMMARY REPORT.pdf](#)

8.g. 20-230

Amending Chapter 10.14 of the Lincoln Municipal Code relating to Rules of the Road by amending Section 10.14.250 Speed Regulated; by repealing Section 10.14.260 Arterials Adjacent to Schools; Reduced Speed in its entirety; and by amending Section 10.14.265 Passing in School Crossing Zone; Penalties to remain consistent with school zone standards; and repealing Sections 10.14.250 and 10.14.265 as hitherto existing. (Related Items: 20-230, 20-231)

[20-230 Ordinance.pdf](#)

8.h. 20-231

Amending Section 10.02.315 of the Lincoln Municipal Code relating to School Crossing Zone to remain consistent with school zone standards; and repealing Section 10.02.315 as hitherto existing. (Related Items: 20-230, 20-231)

[20-231 Ordinance.pdf](#)

8.i. 20-233

Suspending portions of Chapter 5.04 of the Lincoln Municipal Code, Alcoholic Liquor, during the current emergency to allow for Special Designated Licenses to be approved on the day of a Nebraska home football game.

[20-233 Ordinance \(5.04\).pdf](#)

8.j. 20-234

Suspending portions of Chapter 14.32 of the Lincoln Municipal Code, Special Events Ordinance, during the current emergency to allow special events to occur on the day of a Nebraska home football game.

[20-234 Ordinance \(14.32\).pdf](#)

9. PENDING LIST

9.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](#)

9.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](#)

9.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](#)

9.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.