

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD
MONDAY, MAY 24, 2021 AT 5:30 PM**

**DUE TO THE MEMORIAL DAY HOLIDAY, CITY COUNCIL WILL NOT MEET ON MONDAY,
MAY 31, 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-183
Reappointing Orville Jones to the Lincoln Housing Authority Board for a term to expire July 1, 2026.
[21R-183 Resolution.pdf](#)
- 1.b.** 21R-189
Approving an Interlocal Agreement between the Railroad Transportation Safety District and the City to accept the transfer of funding for the sidewalk construction across BNSF tracks near 6th & Old Cheney.
[21R-189 Resolution.pdf](#)
[RTSD City Interlocal Old Cheney Road Sidewalk City BNSF 2020.pdf](#)
[210505 Interlocal RTSD City city-council-fact-sheet.pdf](#)
- 1.c.** 21R-190
Approving the Construction and Maintenance Agreement between BNSF and the City to construct a sidewalk across BNSF tracks near 6th & Old Cheney (CONSENT)
[21R-190 Resolution.pdf](#)
[BNSF Agreement Old Cheney Rd. Sidewalk CM - final.pdf](#)
[210505 RR agreement city-council-fact-sheet.pdf](#)
- 1.d.** Clerk's Letter & Mayor's Approval of Resolutions passed by City Council on May 10, 2021. (PLACED ON FILE)

2. PETITIONS & COMMUNICATIONS

- 2.a.** Informal petition to create an Alley Paving District from X Street and W Street between 34th Street and 33rd Street submitted by Naureen Zaman and Aras Aminmustafa.
(Referred to Lincoln Transportation and Utilities)
[Informal Petition Alley Paving submitted by Naureen Zaman & Aras Aminmustafa.pdf](#)
- 2.b.** PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:
Administrative Amendment 20013, to Pre-Existing Special Permit 39, Lincoln Trap & Skeet Club, approved by the Planning Director on May 4, 2021, to reflect the vacation

of adjacent right-of-way for N. 44th Street, to show a building envelope in the northwest corner on property generally located at North 48th Street and Doris Bair Circle.

Administrative Amendment 20064, to Special Permit 08034B, Whispering Meadows, approved by the Planning Director on May 4, 2021, to revise the conceptual design of SW 27th Street, widen Lot 15, Block 3, revise the grading plan for SW 25th Street and revise note #18 on property generally located at Southwest 27th Street and West A Street.

Administrative Amendment 21019, to Change of Zone 05085C, Fallbrook PUD, approved by the Planning Director on May 4, 2021, to revise the stormwater quality infrastructure by expanding the detention area in lieu of pervious pavement in the alleys, on property generally located at Tallgrass Parkway and Aster Road.

Administrative Amendment 21021, to Special Permit 05055, Russ's Market B&R Grocery Store, approved by the Planning Director on May 4, 2021, to expand the area of the licensed premises for the sale of alcohol for consumption off the premises to include the building addition on the east side, on property generally located at Washington Street and South 17th Street.

Administrative Amendment 21022, to Special Permit 1583B, Russ's Market B&R Grocery Store, approved by the Planning Director on April 30, 2021, to modify the boundary of the special permit to include only that area for the parking remaining within the R-6 zoning district and to rescind Special Permit #1052B on property generally located at Washington Street and South 17th Street.

Administrative Amendment 21024, to Use Permit 140G, Appian Way Regional Shopping Center, approved by the Planning Director on May 4, 2021, to adjust the Design Standard for Light Trespass and Glare to only apply to the boundary of the use permit and not to internal lot lines within the development, on property generally located at South 84th Street and Highway 2.

Administrative Amendment 21025, to Special Permit 1447, Ethel Abbot Sports Complex, approved by the Planning Director on May 7, 2021, to remove the Lincoln Public Schools use designation from the plan, on property generally located at North 70th Street and Arbor Road.

Administrative Amendment 21027, to Special Permit 1649A, T-Mobile, approved by the Planning Director on May 4, 2021, to delete the 15-year time limit on the approval of the special permit per Resolution No. PC-00576. The tower is generally located at 4720 Randolph Street.

3. MISCELLANEOUS REFERRALS

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

4.a. 21R-207

Application of SMG Food and Beverage, LLC for a Special Designated License to cover an outdoor area measuring approximately 700 feet by 448 feet at Pinewood Bowl at 3201 South Coddington Avenue on June 11, 23, 24, and 25, 2021 from 6:00 a.m. to 2:00 a.m. and August 10, 2021 from 6:00 a.m. to 2:00 a.m.

[21R-207 Pinewood Bowl SDL app.pdf](#)

[21R-207 Pinewood Bowl SDL den.pdf](#)

[SDL Pinewood Bowl 6.11.21.pdf](#)

[SDL Pinewood Bowl 6.23.21.pdf](#)

[SDL Pinewood 6.24.21.pdf](#)

[SDL Pinewood bowl 6.25.pdf](#)

[SDL Pinewood Bowl 8.10.pdf](#)

4.b. 21R-208

Application of Catering Investments dba Yes Chef Catering Company for a Special Designated License to cover an indoor area measuring 96 feet by 64 feet and an outdoor area measuring approximately 307 feet by 178 feet at 1222 South 27th Street from 3:00 p.m. to 1:00 a.m.

[21R-208 Yes Chef Catering SDL app.pdf](#)

[SDL Yes Chef 6.4.21.pdf](#)

[21R-208 Yes Chef SDL den.pdf](#)

4.c. 21R-199

Application of Charm LLC dba Charm Boutique & Bar for a Class I Liquor License located at 200 South 21st Street.

[21R-199 Charm Boutique Class I app.pdf](#)

[21R-199 Charm Boutique Class I den.pdf](#)

[21R-209 Ltr and App CharmBoutique.pdf](#)

4.d. 21R-209

Manager Application of Lindsey Tederman for Charm LLC dba Charm Boutique & Bar for a Class I Liquor License located at 200 South 21st Street.

[21R-209 Lindsey A. Tederman for Charm Boutique Class I app.pdf](#)

[21R-209 Lindsey Tederman for Charm LLC Class I den.pdf](#)

[21R-209 Ltr and App CharmBoutique.pdf](#)

4.e. 21R-210

Application of Cockey's Chicken & Brew, LLC dba Cockey's Chicken & Brew for an addition of an outdoor area measuring 15 feet x 31 feet at 5012 North 27th Street.

[21R-210 Cockey's Chicken expand app.pdf](#)

[21R-210 Cockey's Chicken expand den.pdf](#)

[21R-210 Ltr and App.pdf](#)

- 4.f.** 21R-211
Manager Application of Heath A. Macomber for Raaj Lincoln Lessee LLC dba Graduate Lincoln located at 141 North 9th Street.

[21R-211 Heath Macomber for Graduate Lincoln app.pdf](#)
[21R-211 Heath Macomber for Graduate Lincoln den.pdf](#)
[21R-211 Ltr and App Lincoln Graduate - mgr app.pdf](#)
- 4.g.** 21R-212
Manager Application of Christopher M. Storey for Cheddar's Casual Cafe LLC dba Cheddar's Casual Cafe located at 5424 East O Street.

[21R-212 Christopher Storey for Cheddar's app.pdf](#)
[21R-212 Christopher Storey for Cheddars den.pdf](#)
[21R-212 App and Ltr Cheddars - Manager - Christopher Storey.pdf](#)
- 4.h.** 21R-213
Manager Application of Angela L. Coffey for GNS Corporation dba Git N Split located at 951 West O Street.

[21R-213 Angela Coffey GitNSplit app.pdf](#)
[21R-213 Angela Coffey for GitNSplit den.pdf](#)
[21R-213 Ltr and App for GitNSplit\(951 W O St\).pdf](#)
- 4.i.** 21R-214
Manager Application of Angela L. Coffey for GNS Corporation dba Git N Split located at 5560 South 48th Street Ste. 1.

[21R-214 Angela Coffey GitNSplit app.pdf](#)
[21R-214 Angela Coffey GitNSplit den.pdf](#)
[21R-214 Ltr and App for GitNSplit.pdf](#)

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

- 5.a.** 21R-184
Comprehensive Plan Conformance 21008 - Application of the Urban Development Department Director for a proposed amendment to the Antelope Valley Redevelopment Plan, to add "25th & Vine Redevelopment Project" to include two apartment buildings with 36 units including 6 units of affordable housing on property generally located at 25th and Vine Streets.
[21R-184 Resolution.pdf](#)
[CPC21008 - SUMMARY REPORT.pdf](#)

- 5.b.** 21R-185
Comprehensive Plan Conformance 21009 - Application of the Urban Development Department Director, for proposed amendments to the Lincoln Center Redevelopment Plan and the South of Downtown Redevelopment & Strategic Plan to add the "2 Landmark Centre Redevelopment Project," to demolish two existing buildings and existing parking lot and to be replaced with a new three-story office building with upgraded parking on the property generally located at 1111 Lincoln Mall.
[21R-185 Resolution.pdf](#)
[CPC21009 - SUMMARY REPORT.pdf](#)
- 5.c.** 21R-186
Comprehensive Plan Conformance 21010 - Application of the Urban Development Director, to amend the Lincoln Center Redevelopment Plan, to adjust the "Block 65 Redevelopment Project" to allow for the division of taxes for a period not to exceed 20 years, on property generally located at 200 and 206 South 13 Street and 1318 and 1340 M Street, between 13th and 14th, M and N Streets.
[21R-186 Resolution.pdf](#)
[CPC21010 - SUMMARY REPORT.pdf](#)
- 5.d.** 21R-187
Miscellaneous 21003 - Application of the Urban Development Director, to declare the Meadowlane Shopping Center as blighted and substandard area, on property generally located at the NE corner of 70th and Vine Streets.
[21R-187 Resolution.pdf](#)
[MISC21003 - SUMMARY REPORT.pdf](#)
- 5.e.** 21R-188
Appeal by the City of Lincoln Lancaster County Planning Department's approval of Use Permit 103C, to amend the Planning Commission's Resolution PC-01750, to allow for up to 250 multi-family dwelling units or 110,500 square feet of commercial floor area on Lot 3, and up to 513,821 square feet of total commercial floor area, on property generally located at North 27th Street and Enterprise Drive.
[21R-188 Resolution.pdf](#)
[UP103C - SUMMARY REPORT.pdf](#)

- VOTE ON RESOLUTIONS -

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

- 6.a.** 21-46
Approving a Real Estate Purchase Agreement between the City of Lincoln and VH Properties, LLC for the sale of City owned property generally located at 1301 S. 120 Street.
[21-46 Ordinance.pdf](#)
[Fact Sheet](#)

[Real Estate Purchase Agreement 1301 S 120th.pdf](#)

- 6.b.** 21-47
Approving an Agreement for Tower Space and Appurtenances between the City and New Cingular Wireless PC, LLC to occupy and use certain city-owned parcel of real property and Tower generally located at 2201 S. 84th Street.
[21-47 Ordinance.pdf](#)
[21-47 Attachment A.pdf](#)

7. PUBLIC HEARING & ACTION - ORDINANCES 2ND READING & RELATED RESOLUTIONS

- 7.a.** 21-45
Change of Zone 21010 - Application of LS Commercial Developer LLC, from B-3 Commercial District and R-4 Residential District all to R-6 Residential District on properties generally located at 2716 and 2718 Starr Street and 1420 North 27th Street. (Related Items: 21-45 , 21R-172) (Request to Delay Public Hearing one week to 5/24/21)
(PUBLIC HEARING & ACTION DELAYED ONE WEEK TO 5/24/21, 7-0)
[21-45 Ordinance.pdf](#)
[CZ21010 - SUMMARY REPORT.pdf](#)
- 7.b.** 21R-172
Approving a Development and Conditional Zoning Agreement between City and LS Commercial Developer, LLC to allow development of a multi-family housing on the properties generally located at 2716 Starr Street, 2718 Starr Street and 1420 N. 27th Street. (Related Items: 21-45 , 21R-172) (Request to Delay Public Hearing one week to 5/24/21)
(PUBLIC HEARING & ACTION DELAYED ONE WEEK TO 5/24/21, 7-0)
[21R-172 Resolution.pdf](#)
[21R-172 Attachment.pdf](#)

- END PUBLIC HEARING -

8. RESOLUTIONS - 1ST READING

- 8.a.** 21R-194
Reappointing Jasmine Kingsley to the Lincoln-Lancaster County Board of Health for a term to expire April 15, 2024.
[21R-194 Resolution.pdf](#)
- 8.b.** 21R-195
Accepting and approving the report of new and pending claims against the City for May 1 through May 15, 2021.
[21R-195 Resolution.pdf](#)

[21R-195 Claims Report.pdf](#)

- 8.c.** 21R-196
Renaming of Heritage School building as Cunningham School, District 113
[21R-196 Resolution.pdf](#)
[LPS LTR re naming Heritage School .pdf](#)
- 8.d.** 21-198
Approving Amendment No. 1 to the Conditional Zoning Agreement for 8801 Holdrege
[21R-198 Resolution.pdf](#)
[21R-198 Resolution.docx](#)
- 8.e.** 21R-200
Re-appoint James Michael Bowers to the Joint Budget Committee for a two-year term to expire May 31, 2023.
[21R-200 Resolution.pdf](#)
- 8.f.** 21R-201
Appoint Sandra Washington to the Parks and Recreation Advisory Board for a one-year term to expire May 31, 2022.
[21R-201 Resolution.pdf](#)
- 8.g.** 21R-202
Appoint Tom Beckius and Richard Meginnis to the City Performance Audit Committee for a two-year term to expire May 31, 2023.
[21R-202 Resolution.pdf](#)
- 8.h.** 21R-203
Re-appoint Bennie Shobe to the City Performance Audit Committee for a two-year term to expire May 31, 2023.
[21R-203 Resolution.pdf](#)
- 8.i.** 21R-204
Re-appoint Jane Raybould and James Michael Bowers to the Railroad Transportation Safety District Board for a one-year term to expire May 31, 2022.
[21R-204 Resolution.pdf](#)
- 8.j.** 21R-205
Appoint Tom Beckius to the Railroad Transportation Safety District Board for a one-year term to expire May 31, 2022.
[21R-205 Resolution.pdf](#)
- 8.k.** 21R-206
Appoint Bennie Shobe to the Telecommunications/Cable Television Advisory Board to carry out the remainder of the term to expire July 1, 2021.

9. ORDINANCES - 1ST READING & RELATED RESOLUTIONS

- 9.a.** 21-48
Change of Zone 16036B - Application of Lincoln Federal Bancorp, Inc. to amend the allowable land uses from O-3 Office to B-2 Commercial uses in the existing Wilderness Hills Commercial PUD (Planned Unit Development), on property legally described as Lot 1, Block 1 and Outlot B, Wilderness Hills Commercial Addition, Lincoln, Lancaster County, Nebraska, generally located at South 27th and Yankee Hill Road.
[21-48 Ordinance.pdf](#)
[CZ16036B - SUMMARY REPORT.pdf](#)
- 9.b.** 21-49
Street and Alley Vacation 21001 - Application of Gatehouse Row, LP, to vacate right-of-way for R Street and T Street located east of N. 36th Street, includes two east-west alley right-of-way areas north and south of T Street, generally located at 3600 R Street.
[21-49 Ordinance SAV21001.pdf](#)
[SAV21001 -SUMMARY REPORT.pdf](#)
- 9.c.** 21-50
Text Amendment 21002, request of the Planning Dept. Director, to amend Lincoln Municipal Code Sections 27.02.090 and 27.02.200 to make explicit that hotels or motels are a commercial use and to define short-term rental; amending Section 27.06.070 Household Living Use Group Table to add short-term rentals as a conditional use in certain districts; and amending 27.62.040 Household Living Use Group to add conditions required for short-term rentals; and repealing Sections 27.02.090, 27.02.200, 27.06.070, and 27.62.040 as hitherto existing. (Related Items: 21-50, 21-51, 21-52)
[21-50 Ordinance \(TX21002\) FINAL.pdf](#)
[TX21002 - SUMMARY REPORT.pdf](#)
- 9.d.** 21-51
Amending Chapter 3.28 of the Lincoln Municipal Code relating to Hotel Occupation Tax by amending Section 3.28.020, entitled Definitions, to amend the definition of hotel to include lodging facilities including one or more rooms and to include short-term rentals within the definition of hotel; and repealing Section 3.28.020 of the Lincoln Municipal Code as hitherto existing. (Related Items: 21-50, 21-51, 21-52)
[21-51 Ordinance \(3.28\)FINAL.pdf](#)
- 9.e.** 21-52
Amending Section 5.38.010 of the Lincoln Municipal Code to define rental dwelling as a rental of more than thirty days and amending Title 5 of the Lincoln Municipal Code relating to Licenses and Regulations by adding a new Chapter 5.39 entitled

“Short-Term Rentals” to provide regulations governing short-term rentals and to establish short-term licensing procedures. (Related Items: 21-50, 21-51, 21-52)
[21-52 Ordinance \(5.39\) FINAL.pdf](#)

- 9.f.** 21-53
Approving a lease agreement for a twenty year term with two additional 10 year terms at the City's option between the City of Lincoln and Victory Park, LLC related to new location for the City's Aging Partners Division on property generally located at 600 S. 70th Street.

[21-53 Ordinance.pdf](#)
[21-53 Attachment.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](#)

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 May, open microphone sessions will be held on May 10 & May 24, 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: 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 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.