

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD
MONDAY, JULY 19, 2021 AT 3:00 PM**

MAYOR'S AWARD OF EXCELLENCE

MAYOR'S AWARD OF EXCELLENCE FOR THE MONTH OF APRIL 2020 IS PRESENTED TO KYLE MEYERSON, LINCOLN POLICE DEPARTMENT, IN THE CATEGORY OF PRODUCTIVITY.

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-287
Appointing Jill Grasso to the Urban Design Committee for a term to expire February 1, 2023.
[21R-287 Resolution.pdf](#)
- 1.b.** 21R-288
Reappointing Kim Moore, Dr. Marilyn Moore, and Dr. Michelle Petersen to the Community Health Endowment Board of Trustees for terms to expire September 1, 2024.
[21R-288 Resolution.pdf](#)
- 1.c.** 21R-289
Approving a Professional Services Agreement Supplemental No. 1 for preliminary engineering design services between the City of Lincoln and Alfred Benesch & Co. for the Adams Street, 36th to 49th, Rehab project.
[21R-289 Resolution.pdf](#)
[21R-289 Attachment.pdf](#)
[702976 city-council-fact-sheet Design contract. Amend 1.pdf](#)
- 1.d.** 21R-290
Approving a Professional Services Agreement Supplemental No. 2 for preliminary engineering design services between the City of Lincoln and Alfred Benesch & Co. for the Adams Street, 36th to 49th, Rehab project.
[21R-290 Resolution.pdf](#)
[21R-290 Attachment.pdf](#)
[702976 city-council-fact-sheet Design contract Amend 2.pdf](#)
- 1.e.** Lincoln Electric System Financial and Operating Statement for June 2021. (Place on file)

2. PETITIONS & COMMUNICATIONS

- 2.a.** 21R-321
Setting the hearing date of Monday, August 2, 2021 at 3:00 P.M. on the application of 817, LLC. dba DelRay 817 for a Class I Liquor license located at 817 R Street.
[SHD 21R-321.pdf](#)
- 2.b.** Informal Petition to create a Paving District for Humphrey Avenue, submitted by Danay Kalkowski, Seacrest & Kalkowski, PC, LLO. (Referred to Lincoln Transportation and Utilities)
- 2.c.** PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:
Administrative Amendment 21030, to Change of Zone 15016B, Wilderness Creek PUD, approved by the Planning Director on June 29, 2021, to update the site plan to show the layout and drainage information for the multi-family project with up to 480 units on Lot 1 Block 8, on property generally located at S. 33rd Street and Wilderness Hills Boulevard.
- Administrative Amendment 21034, to Pre-Existing Use Permit 13D, Briarhurst Center, approved by the Planning Director on July 1, 2021, to allow tents, parking, and product display and sales in the 50-foot setback to the north property line, on property generally located at Highway 2 and S. 48th Street.

3. MISCELLANEOUS REFERRALS

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

- 4.a.** 21R-316
Application of DJTE Inc. dba Cooks Café for a Class I Liquor License located at 333 N. Cotner Boulevard, Suite 1.

[21R-316 Cook's Cafe Class I app.pdf](#)
[21R-316 Cooks Cafe Class I den.pdf](#)
[21R-316 Application & Lettter CooksCafe.pdf](#)
- 4.b.** 21R-317
Manager Application of Jessica L. Simons for DJTE Inc. dba Cooks Café located at 333 N. Cotner Boulevard, Suite 1.

[21R-317 Jessica Simmons for Cooks Cafe Class I app.pdf](#)

[21R-317 Jessica Simons for Cooks Cafe I den.pdf](#)

[21R-316 Application & Letter CooksCafe.pdf](#)

- 4.c.** 21R-318
Application of Nguyen Vapes Inc. dba 27th Street Liquor & Tobacco for a Class D Liquor License located at 2645 O Street.

[21R-318 27th Street Liquor & Tobacco Class D app.pdf](#)

[21R-318 27th Stree Liquor & Tobacco Class D den.pdf](#)

[21R-318 Applicaiton & Letter 27thStLiquorTobacco.pdf](#)

- 4.d.** 21R-319
Manager Application of Viet C. Nguyen for Nguyen Vapes Inc. dba 27th Street Liquor & Tobacco located at 2645 O Street.

[21R-319 Viet Nguyen for 27th Street Liquor app.pdf](#)

[21R-319 Viet Nguyen for 27th Street den.pdf](#)

[21R-318 Applicaiton & Letter 27thStLiquorTobacco.pdf](#)

- 4.e.** 21R-320
Manager Application of Andrew R. Guenther for STL of Nebraska, Inc. dba Target Store 0217 located at 333 N. 48th Street, Target Store 2303 located at 8201 S. 40th Street, and Target Store 0879 located at 5330 S. 56th Street.

[21R-320 Andrew Guenther for Target app.pdf](#)

[21R-320 Andrew Guenther for Target den.pdf](#)

[21R-320 Application & Letter Andrew Guenther for Target.pdf](#)

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

- 5.a.** 21R-291
Approving Teresa Ewins as Chief of Police effective August 30, 2021.
[21R-291 Resolution.pdf](#)

- 5.b.** 21R-292
Accepting and approving the report of new and pending claims against the City for June 16 through June 30, 2021.
[21R-292 Resolution.pdf](#)
[21R-292 Claims Report.pdf](#)

- 5.c.** 21R-293

Comprehensive Plan Conformance 21014 - Application of the Urban Development Director to review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan a proposed amendment to the Lincoln Center Redevelopment Plan, to add the "Atrium Redevelopment Project" for the rehabilitation and redevelopment of the Atrium Building on property generally located between 12th and 13th Streets on the north side of N Street.

[21R-293 Resolution.pdf](#)

[21R-293 Attachments.pdf](#)

[CPC21014 - SUMMARY REPORT.pdf](#)

- VOTE ON RESOLUTIONS -

6. PUBLIC HEARING & ACTION - ORDINANCES & RELATED RESOLUTIONS

6.a. 21R-294

Appeal by Royce Mueller of Planning Commission approval of Special Permit 14003A, to allow for the expansion of the existing special permit for Planned Service Commercial to allow for an additional approximate 21,000 square feet of commercial floor area, on property generally located at South 70th Street and Pine Lake Road.

[21R-294 Resolution.pdf](#)

[SP14003A - APPEAL-SUMMARY REPORT.pdf](#)

6.b. 21-64

Change of Zone 21016 - Application of Tagel Hill, LLC, from R-1 Residential District to H-4 General Commercial District, on property generally located at South 70th Street and Pine Lake Road. (6/28/21 - Public Hearing & Action cont'd three weeks to 7/19/21)

[21-64 Ordinance.pdf](#)

[CZ21016 - SUMMARY REPORT.pdf](#)

- VOTE ON ORDINANCE & RELATED RESOLUTIONS -

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

7.a. 21-67

Approving a lease agreement for the lease and financing of golf carts for a four (4) year term between the City of Lincoln and Exchange Bank for the lease and financing of golf carts.

[21-67 Ordinance.pdf](#)

[21-67 Attachment.pdf](#)

[21-098 Fact Sheet .pdf](#)

7.b. 21-68

Approving a lease agreement for a twenty-four month term, with option to renew for two (2) additional one year terms between the City of Lincoln and Experian Marketing

Solutions, Inc. for the property generally located at 949 W. Bond Street.

[21-68 Ordinance.pdf](#)

[Experian Lease Agreement FINAL 6.24.21.pdf](#)

- 7.c.** 21-69
Text Amendment 21003 - Application of the Planning Director to amend Lincoln Municipal Code Section 27.06.140 Food and Drink Establishments Use Group Table and Section 27.62.110 Food and Drink Establishments Use Group to include conditional uses for the sale of alcoholic beverages for consumption on the premises of a restaurant in the O-1 Office District; and repealing Sections 27.06.140 and 27.62.110 as hitherto existing.
[21-69 Ordinance \(TX21003\).pdf](#)
[TX21003 - SUMMARY REPORT.pdf](#)
- 7.d.** 21-70
Text Amendment 21004 - Application of the Planning Director to amend Lincoln Municipal Code Sections 27.05.040, 27.06.020, 27.49.020, 27.62.100, 27.62.150, 27.63.025, 27.63.170, 27.64.010, 27.72.100, and 27.81.010 to amend certain provisions of the Zoning Code; and repealing Sections 27.05.040, 27.06.020, 27.49.020, 27.62.100, 27.62.150, 27.63.025, 27.63.170, 27.64.010, 27.72.100, and 27.81.010 as hitherto existing. (Related Items: 21-70, 21R-295)
[21-70 Ordinance \(TX21004\).pdf](#)
[TX21004 - SUMMARY REPORT.pdf](#)
[21-70 MTA No. 1.pdf](#)
- 7.e.** 21R-295
Text Amendment 21004 - Application of the Planning Director to amend Title 3 Design Standards for Zoning Regulations by amending Chapter 3.50 Design Standards for Screening and Landscaping Section 7.1 to restore a provision that was included in the version voted on by Planning Commission but inadvertently left out of the City Council adopted version of the Chapter; and repealing Section 7.1 of Chapter 3.50 as hitherto existing. (Related Items: 21-70, 21R-295)
[21R-295 Resolution \(TX21004\).pdf](#)
[21R-295A - Attachment A \(TX21004\).pdf](#)
- 7.f.** 21-71
Change of Zone 21019 - Application of the Planning Director, for a change from R-6 Residential District to P Public Use District on property generally located at 1203, 1211 and 1219 C Street, 1226 and 1236 South 12th Street and 1204, 1210 and 1220 B Street.
[21-71 Ordinance.pdf](#)
[21-71 Attachment A.pdf](#)
[CZ21019 - SUMMARY REPORT.pdf](#)
- 7.g.** 21-72

Change of Zone 21020 - Application of South of Downtown Community Development Organization, from R-6 Residential District, R-7 Residential District, R-8 Residential District, O-1 Office District, and B-3 Commercial District to R-6 PUD Residential District, R-7 PUD Residential District, R-8 PUD Residential District, O-1 PUD Office District, and B-3 PUD Commercial District with a development plan which proposes to modify standards of the underlying zoning district, on property generally located between A and H Streets and 10th and 17th Streets.

[21-72 Ordinance draft.pdf](#)

[CZ21020 - SUMMARY REPORT.pdf](#)

- 7.h.** 21-73
Annexation 20014 - Application of Fire Ridge, LLC, to annex approximately 74.74 acres, on property generally located at 10400 Van Dorn and 2300 South 98th Streets. (Related Items: 21-73, 21-74, 21R-296)

[21-73 Ordinance.pdf](#)

[21-73 Attachment A.pdf](#)

[AN20014 - SUMMARY REPORT.pdf](#)

- 7.i.** 21-74
Change of Zone 20038 - Application of Fire Ridge, LLC, from AG Agricultural District to R-3 Residential District) on property generally located at 10400 Van Dorn Street. (Related Items: 21-73, 21-74, 21R-296)

[21-74 Ordinance.pdf](#)

[21-74 Attachment.pdf](#)

[CZ20038 - SUMMARY REPORT.pdf](#)

- 7.j.** 21R-296
Approving the Annexation Agreement from Fire Ridge between the City and Fire Ridge, LLC., for the annexation of property generally located in the area between 98th Street and 105th Street near and abutting Van Dorn Street. (Related Items: 21-73, 21-74, 21R-296)

[21R-296 Resolution.pdf](#)

[21R-296 Attachment.pdf](#)

- 7.k.** 21R-297
Approving the Sharp Building Redevelopment Agreement between Sharp Building LLC and the City relating to the redevelopment of property generally located at 206 S. 13th Street (Related Items: 21R-297, 21R-298, 21-75)

[21R-297 Resolution.pdf](#)

[21R-297 Attachment.pdf](#)

- 7.l.** 21R-298
Amending the FY 2020-2021 CIP to authorize and appropriate \$1,376,894 in TIF funds and \$198,000 in other funds for the Sharp Building Redevelopment Project. (Related Items: 21R-297, 21R-298, 21-75)

[21R-298 Resolution.pdf](#)

- 7.m.** 21-75
Authorizing the issuance of Tax Allocation Bonds for the Sharp Building
Redevelopment Project in an amount not to exceed \$1,376,894. (Related Items:
21R-297, 21R-298, 21-75)
[21-75 Ordinance.pdf](#)
- 7.n.** 21R-299
Approving the 25th & Vine Redevelopment Project Agreement between the City and
L.A. Real Estate. (Related Items: 21R-299, 21R-300, 21-76)
[21R-299 Resolution.pdf](#)
[21R-299 Attachment.pdf](#)
- 7.o.** 21R-300
Amending the FY 2020-2021 CIP to authorize and appropriate \$906,229.00 in TIF
funds for the 25th & Vine Redevelopment Project. (Related Items: 21R-299, 21R-300,
21-76)
[21R-300 Resolution.pdf](#)
- 7.p.** 21-76
Authorizing the issuance of Tax Allocation Bonds for the 25th & Vine Redevelopment
Project in an amount not to exceed \$906,229.00 (Related Items: 21R-299, 21R-300,
21-76)
[21-76 Ordinance.pdf](#)

- END PUBLIC HEARING -

8. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

- 8.a.** 21-66
Approving Amendment No. 1 to the Amended and Restate Interlocal Cooperation
Agreement Establishing the District Energy Cooperation.
[21-66 Ordinance.pdf](#)
[21-66 Attachment.pdf](#)

9. RESOLUTIONS - 1ST READING

- 9.a.** 21R-311
Accepting and approving the report of new and pending claims against the City for July
1 through July 15, 2021.
[21R-311 Resolution.pdf](#)
[21R-311 Claims Report.pdf](#)

- 9.b.** 21R-312

Use Permit 19003A - Application of Dial-Salt Creek LP, to amend Use Permit 19003 to reduce the number of persons for the healthcare facility to 200 and allow up to 200 multi-family dwelling units, along with the previously approved commercial floor area as an alternative to either residential use on the property generally located at N. 27th and Husker Circle.

[21R-312 Resolution.pdf](#)

[UP19003A - SUMMARY REPORT.pdf](#)

9.c. 21R-313

Use Permit 126G-Application of Wilderness Woods Holdings, LLC, to amend the use permit for one residential lot with associated waivers to allow an increased building height of 55 feet and reduced parking requirement of 1.75 stalls per dwelling unit, on property generally located at 8722 Executive Woods Drive.

[21R-313 Resolution.pdf](#)

[UP126G - SUMMARY REPORT.pdf](#)

9.d. 21R-314

Approving the Amendment No. 1 to the Yankee Hill Road Street Improvements Agreement between the City of Lincoln, Chateau Development, LLC, and Lincoln Federal Bancorp to design and construct a right turn lane in the eastbound lanes of Yankee Hill Road.

[21R-314 Resolution.pdf](#)

[21R-314 Attachment.pdf](#)

9.e. 21R-315

Approving the Tower Heights Street Improvement Agreement between the City and Lincoln Federal Bancorp to design and construct improvements to Yankee Hill Road between S. 48th Street and S. 52nd Street.

[21R-315 Resolution.pdf](#)

[21R-315 Attachment.pdf](#)

10. ORDINANCES - 1ST READING & RELATED RESOLUTIONS

10.a. 21-77

Annexation 21003-Application of Rokeby Holdings, LTD, to annex approximately 48.06 acres, more or less, including the adjacent right-of-way in South 70th Street, on property generally located at South 70th Street and Rokeby Road. (Related Items:

21-77, 21-78, 21-79)

[21-77 Ordinance.pdf](#)

[AN21003 - SUMMARY REPORTT.pdf](#)

10.b. 21-78

Change of Zone 21022-Application of Rokeby Holdings, LTD, from AG Agricultural District and R-3 Residential District to R-5 PUD Residential District Planned Unit Development with associated waivers generally located at South 70th Street and

Rokeby Road. (Related Items: 21-77, 21-78, 21-79)

[21-78 Ordinance.pdf](#)

[21-78 Exhibit A.pdf](#)

[21-78 Staff Report.pdf](#)

10.c. 21-79

Change of Zone 21023, request of Rokeby Holdings, LTD, from AG (Agricultural District) to R-3 (Residential District) for approximately 6.7 acres, on property legally described as a portion of Lot 29, located in the NW 1/4 of Section 34-9-7, Lincoln, Lancaster County, Nebraska, generally located at South 70th Street and Rokeby Road. (Related Items: 21-77, 21-78, 21-79)

[21-79 Ordinance.pdf](#)

[CZ21023 - SUMMARY REPORT.pdf](#)

11. PENDING LIST - DATE CERTAIN

11.a. 21R-235

Miscellaneous 21006 - Application of the Urban Development Director, declaring the "NW 48th Street Redevelopment Area" generally bound by Fletcher Avenue on the north, NW 57th Street on the west, Holdrege Street on the south and NW 48th Street on the east, as blighted and substandard. (Related Items: 21R-235, 21R-236) (6/28/21 - Public Hearing & Action cont'd two weeks to 07/12/21) (7/12/21 - Public Hearing & Action cont'd two weeks to 07/26/21)

[21R-235 Resolution.pdf](#)

[21R-235 MTA 1.pdf](#)

[MISC21006 - SUMMARY REPORT.pdf](#)

11.b. 21R-236

Miscellaneous 21007 - Application of the Urban Development Director to declare the NW 48th Street Area bounded by Fletcher Avenue on the north, NW 57th Street on the west, Holdrege Street on the south and NW 48th Street on the east, as Extremely Blighted, as set forth in the Extremely Blighted Determination Study for the City of Lincoln, Nebraska, dated January 2021. (Related Items: 21R-235, 21R-236)(6/28/21 - Public Hearing & Action cont'd two weeks to 07/12/21) (7/12/21 - Public Hearing & Action cont'd two weeks to 07/26/21)

[21R-236 Resolution.pdf](#)

[21R-236 MTA 1.pdf](#)

[MISC21007 - SUMMARY REPORT.pdf](#)

12. PENDING LIST

12.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](#)

- 12.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](#)

- 12.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 July, open microphone sessions will be held on July 19 & July 26, 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.