

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD  
MONDAY, JULY 26, 2021 AT 5:30 PM**

**PUBLIC HEARING - CONSENT AGENDA**

Anyone wishing to address an item on the Consent Agenda may do so at this time.

**1. PETITIONS & COMMUNICATIONS**

- 1.a.** 21R-334  
Setting the hearing date of Monday, August 9, 2021 at 3:00 P.M. on the Manager Application of Brian J. Makovicka for Whitehead Oil Co. dba U-Stop #18 located at 110 West O Street and U-Stop #2 located 240 N. 14th Street.  
[21R-334 - Brian J. Makovicka SHD Mang App Reso.docx](#)
- 1.b.** REFERRED TO THE PLANNING DEPARTMENT:  
Change of Zone 15016C, to amend the layout of Lots 1 and 2, Block 3, with waivers to reduce setbacks, on property generally located at South 40th Street and Crescent Drive.  
Change of Zone 21024, from B 1 (Local Business District) to H 2 (Highway Business District), on property generally located at 4615 Vine Street.  
Special Permit 1185A, to amend the existing Special Permit to adjust setbacks and reconfigure the parking lot, on property located at 1106 H Street.

**2. MISCELLANEOUS REFERRALS**

**- VOTE ON CONSENT ITEMS -**

**3. PUBLIC HEARING - LIQUOR RESOLUTIONS**

- 3.a.** 21R-329  
Manager Application of Michael L. Starkey for Whitehead Oil Co. dba U-Stop 8 located at 1421 Centerpark Road.  
[21R-329 Michael Starkey for Whitefiled app.pdf](#)  
[21R-329 Michael Starkey for Whitefield den.pdf](#)  
[21R-329 Ltr and Application for Michael Starkey.pdf](#)
- 3.b.** 21R-330  
Application of Bourbon Entertainment LLC dba Bourbon Theatre for a special designated license to cover an outdoor area measuring approximately 556 feet by 525 feet at N Street between 14th and 16th Streets on August 13, 2021 from 5:00 p.m. to 11:59 p.m.  
  
[21R-330 Bourbon app SDL.pdf](#)

[21R-330 Bourbon den SDL.pdf](#)  
[21R-330 Bourbon SDL Application.pdf](#)

- 3.c.** 21R-331  
Application of Bourbon Entertainment LLC dba Bourbon Theatre for a special designated license to cover an outdoor area measuring approximately 556 feet by 525 feet at N Street between 14th and 16th Streets on August 19, 2021 from 5:00 p.m. to 11:59 p.m.  
[21R-331 Bourbon app SDL.pdf](#)  
[21R-331 Bourbon den SDL.pdf](#)  
[21R-331 Bourbon SDL Application.pdf](#)

- 3.d.** 21R-332  
Application of Zoo Bar for a Special Designated License to cover an outdoor area measuring approximately 438 feet by 267 feet at 14th Street between O Street and P Streets on August 12, 2021 from 4:00 p.m. to 1:00 a.m. and August 13, 2021 from 2:00 p.m. to 1:00 a.m.  
[21R-332 Zoob Bar app SDL.pdf](#)  
[21R-332 Zoo Bar den SDL.pdf](#)  
[21R-332 Zoo SDL Application.pdf](#)

- 3.e.** 21R-333  
Application of Hub Cafe LLC, for a Special Designated License to cover an outdoor area measuring approximately 200 feet by 170 feet at Jayne Snyder Trails Center located at 250 N. 21st Street on August 26, 2021 from 3:00 p.m. to 10:00 p.m., and September, 2, 9, 16, 23, and 30th, 2021 from 3:00 p.m. to 10:00 p.m.  
[21R-333 Hub Cafe SDL app.pdf](#)  
[21R-333 Hub Cafe den SDL.pdf](#)  
[21R-333 Hub SDL application.pdf](#)

**- VOTE ON LIQUORS -**

**4. PUBLIC HEARING - RESOLUTIONS**

- 4.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](#)

- 4.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](#)

- 4.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](#)

- 4.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](#)

- 4.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](#)

- 4.f.** 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](#)  
[21R-235 MTA No. 2.pdf](#)  
[21R-235 MTA 2 Attachment.pdf](#)

- 4.g.** 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](#)

[21R-236 MTA No. 2.pdf](#)

[21R-236 MTA 2 Attachment.pdf](#)

**- VOTE ON RESOLUTIONS -**

**5. PUBLIC HEARING - ORDINANCES 2ND READING & RELATED RESOLUTIONS**

**5.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](#)

**5.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](#)

**5.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](#)

**- END PUBLIC HEARING -**

**6. ORDINANCES & RELATED RESOLUTIONS - ACTION ONLY**

**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. (7/19/21 - Action delayed 1 week to 7/26/21)

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

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

[21R-294 MTA No. 1.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) (7/19/21 - Action delayed 1 week to 7/26/21)

[21-64 Ordinance.pdf](#)

[CZ21016 - SUMMARY REPORT.pdf](#)

**- VOTE ON ORDINANCES & RELATED RESOLUTIONS ACTION ONLY -**

**7. ORDINANCES - 3RD 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) (7/19/21 - Action delayed 1 week to 7/26/21)  
[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](#)  
[21-72 MTA No. 1.pdf](#)  
[21-72 MTA 1 Attachment.pdf](#)  
[21-72 MTA No. 2 .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) (7/19/21 - Action delayed 1 week to 7/26/21)  
[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) (7/19/21 - Action delayed 1 week to 7/26/21)  
[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) (7/19/21 - Action delayed 1 week to 7/26/21)  
[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](#)  
[21-75 MTA No. 1.pdf](#)

[21-75 MTA Attachment.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) (7/19/21 - Action delayed 1 week to 7/26/21)  
[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) (7/19/21 - Action delayed 1 week to 7/26/21)  
[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](#)  
[21-76 MTA No. 1.pdf](#)  
[21-76 MTA 1 Attachment'.pdf](#)

## **8. RESOLUTIONS - 1ST READING**

- 8.a.** 21R-322  
MISCELLANEOUS 21009 - Application of the Planning Director to adopting the proposed amended Fee Schedule for Application Reviews under Chapter 14.20, Title 26, and Title 27 of the Lincoln Municipal Code and amendments to the Lincoln-Lancaster County Comprehensive Plan, with an effective date of October 1, 2021. (Public Hearing on 8/2/21; Request to Delay Action to 8/23/21)  
[21r-322 Resolution.pdf](#)  
[MISC21009 - SUMMARY REPORT.pdf](#)
- 8.b.** 21R-323  
Establishing a new rate schedule for the Lincoln Water System for purposes of covering operational and maintenance costs including debt services and Capital Improvements Program for FY 2021-2022. (Public Hearing on 8/2/21; Request to Delay Action to 8/23/21)  
[21R-323 Resolution.pdf](#)  
[Fact Sheet Water Use Charges\\_2021.pdf](#)
- 8.c.** 21R-324  
Establishing a new rate schedule for the Lincoln Wastewater System for purposes of covering operational and maintenance costs including debt services and Capital

Improvements Program for FY 2021-2022. (Public Hearing on 8/2/21; Request to Delay Action to 8/23/21)

[21R-324 Resolution.pdf](#)

[Fact Sheet Wastewater Use Charges\\_2021.pdf](#)

- 8.d.** 21R-325  
Establishing a new rate schedule for the Lincoln Solid Waste System for purposes of covering operational and maintenance costs including debt services and Capital Improvements Program for FY 2021-2022. (Public Hearing on 8/2/21; Request to Delay Action to 8/23/21)

[21R-325 Resolution.pdf](#)

[Fact Sheet Solid Waste Use Charges\\_2021.pdf](#)

- 8.e.** 21R-326  
Adopting the 2021-22 City of Lincoln Operating Budget & Capital Improvement Program (CIP); One and Six Year Street and Highway Program. (Public Hearing on 8/2/21; Request to Delay Action to 8/23/21)

[21R-326 Attachment.pdf](#)

- 8.f.** 21R-327  
A resolution to increase restricted funds authority by 1% per Neb. Rev. Stat. §13-519. (Public Hearing on 8/2/21; Request to Delay Action to 8/23/21)

[21R-327 Resolution.pdf](#)

- 8.g.** 21R-328  
Approving the updated fees schedule for ambulance services during FY 2021-22. (Public Hearing on 8/2/21; Request to Delay Action to 8/23/21)

## **9. ORDINANCES - 1ST READING & RELATED RESOLUTIONS**

- 9.a.** 21-80  
Amending Section 8.32.150 of the Lincoln Municipal Code to increase the occupation tax on refuse haulers from \$17.15 to \$18.00 per ton, effective January 1, 2022. (Public Hearing on 8/2/21; Request to Delay Action to 8/23/21)

[21-80 Ordinance \(8.32.150\).pdf](#)

[Fact Sheet Occupation Tax\\_Amend LMC 8.32.150\\_2021.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 July, open microphone sessions will be held on July 19 & July 26, 2021.

## **ADJOURNMENT**

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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](http://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](http://lincoln.ne.gov) (keyword: LNKTV) and available later at [youtube.com/LNKTVcity](http://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.

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The City Council Agenda and Action Sheet may be accessed on the Internet at: [lincoln.ne.gov](http://lincoln.ne.gov)

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## **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.*