

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD  
MONDAY, DECEMBER 20, 2021 AT 5:30 PM**

**DUE TO THE CHRISTMAS & NEW YEAR HOLIDAYS, CITY COUNCIL WILL NOT MEET ON  
DECEMBER 27, 2021 & JANUARY 3, 2022**

**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-546  
Appointing Jessica Boren to the Parks and Recreation Advisory Board for a term to expire April 27, 2024. (12/13/21 - Public Hearing & Action Cont'd one week to 12/20/21)  
[21R-546 Resolution.pdf](#)
- 1.b.**      21R-579  
Reappointing Chelsea Johnson and David Spinar to the Lincoln Electric System Administrative Board for terms to expire December 31, 2024.  
[21R-579 Resolution.pdf](#)
- 1.c.**      21R-580  
Appointing Kimberly Morrow to the Lincoln Electric System Administrative Board for a term to expire December 31, 2024.  
[21R-580 Resolution.pdf](#)
- 1.d.**      21R-581  
Appointing Hugh Sieck to the Examining Board of Plumbers for a term expiring February 1, 2023.  
[21R-581 Resolution.pdf](#)
- 1.e.**      21R-582  
Appointing Thomas Blanton to the Veterans Memorial Garden Advisory Council for a term expiring November 1, 2022.  
[21R-582 Resolution.pdf](#)
- 1.f.**      21R-583  
Appointing Alexandria Evers to the Veterans Memorial Garden Advisory Council for a term expiring November 1, 2023.  
[21R-583 Resolution.pdf](#)
- 1.g.**      21R-584  
Modification of Transportation Improvement Program. (StarTran Fiscal Modification for Busses)

[21R-584 REvised Fact Sheet.pdf](#)

- 1.h.** 21R-585  
Approving the Professional Services Agreement between the City and WSP USA, Inc., for Preliminary Engineering Services for the A Street between 40th and 56th Streets Rehabilitation Project, Project No. LCLC-5220(6); Control No. 13439.  
[21R-585 Resolution.pdf](#)  
[21R-585 Attachment.pdf](#)  
[702977 city-council-fact-sheet - PE agreement.pdf](#)
- 1.i.** 21R-586  
Approving the Professional Services Agreement between the City and WSP, USA, Inc., for environmental services for the A Street between 40th and 56th Streets, Rehabilitation Project, Project No. LCLC5220(6), Control No. 13439.  
[21R-586 Resolution .pdf](#)  
[21R-586 Attachment.pdf](#)  
[702977 city-council-fact-sheet - NEPA agreement.pdf](#)
- 1.j.** 21R-616  
Approving the distribution of funds representing interest earnings on short-term investments of Idle Funds during the month ended October 31, 2021.  
[IDLE 10-21.pdf](#)
- 1.k.** Report from City Treasurer of city cash on hand at the close of business on October 31, 2021. (Placed on file)  
[Cash Letter October 2021.pdf](#)
- 1.l.** Lincoln Electric Financial and Operating Statement for November 2021. (Placed on file)
- 1.m.** Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on December 6, 2021. (Placed on file)

## **2. PETITIONS & COMMUNICATIONS**

- 2.a.** 21R-617  
Setting the hearing date of Monday, January 10, 2022 at 3:00 p.m. on the Application of Norm's Fuel & Food dba Norm's on 48th for a Class DK Liquor license located at 2510 S. 48th Street.  
[21R-617.pdf](#)
- 2.b.** 21R-618  
Setting the hearing date of Monday, January 10, 2022 at 3:00 p.m. on the Application

of NingX131 Inc. dba Grey Whale Ramen and Poke Bowl for a Class I Liquor license located at 6100 O Street, Suite D6.

[21R-618.pdf](#)

- 2.c.** REFERRED TO THE PLANNING DEPARTMENT:  
CHANGE OF ZONE 05068H, to expand The Woodlands at Yankee Hill PUD (Planned Unit Development) by rezoning approximately 39.93 acres from AG Agricultural District to R-3 Residential District PUD for approximately 82 additional dwelling units, with associated waivers to the Zoning and Subdivision Ordinances, on property generally located at South 84th Street and Yankee Hill Road.

- 2.d.** PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:  
Administrative Approval 21051 to Change of Zone 20009, South 59th Street Coalition Planned Unit Development (PUD), approved by the Planning Director on December 8, 2021 to show 38 attached single-family dwellings in Area 2 of the PUD on property generally located at S. 59th Street and Pine Lake Road.  
Waiver 21008 to adjust the Design Standards for Outdoor Lighting Standards for the BUG rating as shown on the site plan and adjust vertical foot candle trespass at the property line by 0.7 foot candles at the entry/exit drive on property generally located at 6340 Arbor Road.

### **3. MISCELLANEOUS REFERRALS**

#### **- VOTE ON CONSENT ITEMS -**

### **4. PUBLIC HEARING - LIQUOR RESOLUTIONS**

- 4.a.** 21R-601  
Manager Application of Paula J. Varilek for HQR LLC, dba Piezano's located at 2740 South Street.

[21R-601 Paula Varilek for Piezanos app.pdf](#)

[21R-601 Paula Varilek for Piezanos den.pdf](#)

[21R-601 Paula Varilek for Piezanos app.pdf](#)

- 4.b.** 21R-602  
Application of 48 Ventures LLC, dba Bar 48 for a Class C Liquor License located at 2639 N. 48th Street.

[21R-602 Bar 48 Class C app.pdf](#)

[21R-602 Bar 48 Class C den.pdf](#)

[21R-602 Ltr and Application for Bar 48.pdf](#)

- 4.c.** 21R-603  
Manager Application of Morgan R. Winkler for 48 Ventures LLC, dba Bar 48 located at 2639 N. 48th Street.  
[21R-603 Morgan Wiinkler for Bar 48 app.pdf](#)  
[21R-603 Morgan Winkler for Bar 48 den.pdf](#)  
[21R-602 Ltr and Application for Bar 48.pdf](#)
- 4.d.** 21R-604  
Application of Dead Presidents Group LLC, dba Lincoln's Pub Dagshack Franco's Fresh Mexican for a Class C Liquor License located at 4630 Leighton Avenue.  
  
[21R-604 Lincoln's Pub Class C app.pdf](#)  
[21R-604 Lincoln's Pub Class C den.pdf](#)  
[21R-604 Ltr and Application for Lincoln's Pub.pdf](#)
- 4.e.** 21R-605  
Manager Application of Sean P. Mann for Dead Presidents Group LLC, dba Lincoln's Pub Dagshack Franco's Fresh Mexican located at 4630 Leighton Avenue.  
[21R-605 Sean Mann for Lincolns Pub app.pdf](#)  
[21R-605 Sean Mann for Lincoln's Pub den.pdf](#)  
[21R-604 Ltr and Application for Lincoln's Pub.pdf](#)
- 4.f.** 21R-606  
Application of D'Leon's Taco Rico Inc., dba D'Leon's Taco Rico for a Class C Liquor License located at 901 N. 48th Street.  
  
[21R-606 D'Leon's N. 48th St. Class C app.pdf](#)  
[21R-606 D'Leon's N. 48th St Class C den.pdf](#)  
[21R-606 Ltr and Application D'Leons N. 48th Street.pdf](#)
- 4.g.** 21R-607  
Manager Application of Jose A. Diaz De Leon Jr. for D'Leon's Taco Rico Inc., dba D'Leon's Taco Rico located at 901 N. 48th Street.  
[21R-607 Jose Diaz for D'Leons N. 48th Street app.pdf](#)  
[21R-607 Jose Diaz for D'Leons N. 48th St den.pdf](#)  
[21R-606 Ltr and Application D'Leons N. 48th Street.pdf](#)
- 4.h.** 21R-608  
Application of D'Leon's Taco Rico Inc., dba D'Leon's Taco Rico for a Class C Liquor License located at 824 S. 27th Street.  
  
[21R-608 D'Leon's S. 27th St. Class C app.pdf](#)  
[21R-608 D'Leon's S. 27th St Class C den.pdf](#)  
[21R-608 Ltr and Application for D'Leons S. 27th St..pdf](#)

- 4.i. 21R-609  
Manager Application of Jose A. Diaz De Leon Sr. for D'Leon's Taco Rico Inc., dba D'Leon's Taco Rico located at 824 S. 27th Street.  
[21R-609 Jose Diaz for D'Leons S. 27th Street app.pdf](#)  
[21R-609 Jose Diaz for D'Leons S. 27th St den.pdf](#)  
[21R-608 Ltr and Application for D'Leons S. 27th St..pdf](#)
- 4.j. 21R-610  
Application of D'Leon's Taco Rico Inc., dba D'Leon's Taco Rico for a Class C Liquor License located at 3045 N. 70th Street.  
[21R-610 D'Leon's N. 70th St. Class C app.pdf](#)  
[21R-610 D'Leon's N. 70th St Class C den.pdf](#)  
[21R-610 Ltr and Application for D'Leons N. 70th St.pdf](#)
- 4.k. 21R-612  
Manager Application of Jose A. Diaz De Leon Jr. for D'Leon's Taco Rico Inc., dba D'Leon's Taco Rico located at 3045 N. 70th Street.  
[21R-612 Jose Diaz for D'Leons N. 70th Street app.pdf](#)  
[21R-612 Jose Diaz for D'Leons N. 70th St den.pdf](#)  
[21R-610 Ltr and Application for D'Leons N. 70th St.pdf](#)
- 4.l. 21R-613  
Application of Asian 88 Fusion Inc., dba Asian Fusion for a Class I Liquor License located at 2840 Jamie Lane.  
[21R-613 Asian Fusion Class I app.pdf](#)  
[21R-613 Asian Fusion Class I den.pdf](#)  
[21R-613 Ltr and Application for Asian Fusion.pdf](#)
- 4.m. 21R-614  
Manager Application of Mei R. Chen for Asian 88 Fusion Inc., dba Asian Fusion located at 2840 Jamie Lane.  
[21R-614 Mei Chen for Asian Fusion Class I app.pdf](#)  
[21R-614 Mei Chen for Asian Fusion den.pdf](#)  
[21R-613 Ltr and Application for Asian Fusion.pdf](#)
- 4.n. 21R-615  
Application of HCJ LLC dba Bourbon Street By Single Barrel for a change in location of their existing Class C Liquor License from 350 Canopy Street Suite 120 to 801 R Street, Unit 3.  
[21R-615 Single Barral Move Class C app.pdf](#)  
[21R-615 Single Barral Move Class C den.pdf](#)  
[21R-615 Ltr and Application for Single Barrel.pdf](#)

**- VOTE ON LIQUORS -**

## **5. PUBLIC HEARING - RESOLUTIONS**

- 5.a.** 21R-587  
Miscellaneous 21012 - Application of the Urban Development Director declaring the NW 48th Street Redevelopment Area generally bounded by W. Wilkins Street on the north, NW 57th Street on the west, W. Holdrege Street on the south and NW 48th Street and NW 40th Street on the east, as blighted and substandard.  
[MISC21012 -SUMMARY REPORT.pdf](#)  
[21R-587 Resolution.pdf](#)
- 5.b.** 21R-588  
Miscellaneous 21013 - Application of Urban Development Director, to declare approximately 815 acres generally bounded by W Wilkins Street on the north, NW 57th Street on the west, W Holdrege Street on the south and NW 48th Street and NW 40th Street on the east as Extremely Blighted, as set forth in the Extremely Blighted Determination Study.  
[21R-588 Resolution.pdf](#)  
[MISC21013 - SUMMARY REPORT.pdf](#)
- 5.c.** 21R-589  
Assessing the costs incurred for cutting, clearing, and removing weeds against the various benefitted properties for the period of November 1, 2020 through October 31, 2021.  
[21R-589 Resolution.pdf](#)  
[21R-589 Attachment.xls](#)
- 5.d.** 21R-590  
A resolution to update and clarify the timeline for the preparation and approval of the City's biennial budget.  
[21R-590 Resolutin.pdf](#)

### **- VOTE ON RESOLUTIONS -**

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

- 6.a.** 21-164  
Approving the lease agreement between City and Rex and Jane Rehmer for lease of office space by Aging Partners for its Personal and Family Services program located at 370 North 5th Street, David City, NE for a term of 1 year from September 1, 2021 through August 31, 2022.  
[21-164 Ordinance.pdf](#)  
[RehmerLease \(003\).pdf](#)
- 6.b.** 21-165  
Approving the lease agreement between the City of Lincoln and the Airport Authority

of the City of Lincoln, Nebraska for the lease of buildings nos. 2690 and 2699, bays 1, 2,3, by the City of Lincoln Bureau of Fire Preventions for the storage of equipment and materials for a three year term from October 31, 2021 through September 30, 2024.

[21-165 Ordinance.pdf](#)

[AirportAuthorityLease2021.pdf](#)

**6.c.** 21-166

Change of Zone 21049 - Application of Dal Properties LLC, for a change from B-1 Local Business District to R-4 Residential District, on property generally located at 6537, 6541, 6601, and 6607 Burlington Avenue.

[21-166 Ordinance.pdf](#)

[CZ21049 - SUMMARY REPORT.pdf](#)

**6.d.** 21-167

Text Amendment 21010, request of Planning Director, to amend the Lincoln Municipal Code Sections 27.02.260, 27.72.020, 27.72.070, and Figure 27.67.020 to clarify changes from the Affordable Housing Text Amendment package related to corner front yard and parking requirements in O-3 and B-3 and repealing same sections of the Lincoln Municipal Code as hitherto existing.

[TX21010 - SUMMARY REPORT.pdf](#)

[21-167 Ordinance \(TX21010\).pdf](#)

**6.e.** 21R-591

Approving the CenterPointe South Street Redevelopment Agreement between the City and CenterPointe South Street Project, LLC relating to the acquisition, rehabilitation, and renovation of Trabert Hall generally located at S. 11th Street and South Street.

(Related Items: 21R-591, 21R-592, 21-168)

[21R-591 Resolution.pdf](#)

[21R-591 Attachment.pdf](#)

**6.f.** 21R-592

Amending the FY 21/22 CIP to authorize and appropriate \$575,000 in Tax Increment Financing (TIF) for the CenterPointe South Street Redevelopment Project. (Related Items: 21R-591, 21R-592, 21-168)

[21R-592 Resolution.pdf](#)

**6.g.** 21-168

Authorizing the issuance of Tax Allocation Bonds for the CenterPointe South Street Redevelopment Project in an amount not to exceed \$575,000. (Related Items: 21R-591, 21R-592, 21-168)

[21-168 Ordinance.pdf](#)

**- END PUBLIC HEARING -**

**7. ORDINANCES - 3RD READING & RELATED RESOLUTIONS**

- 7.a.** 21R-563  
Approving the Antelope Square Apartments Redevelopment Agreement between Invest Lincoln Av, LLC and the City relating to the redevelopment of property generally located on the block bounded by N. 22nd Street, N. 23rd Street, Q Street and P Street, and nearby right-of-way and Parkland. (Related Items: 21R-563, 21R-564, 21-157)  
[21R-563 Resolution.pdf](#)  
[21R-563 Attachment.pdf](#)
- 7.b.** 21R-564  
Amending the FY 21/22 CIP to authorize and appropriate \$5,500,000.00 in Tax Increment Financing for the Antelope Square Apartments Redevelopment Project. (Related Items: 21R-563, 21R-564, 21-157)  
[21R-564 Resolution.pdf](#)
- 7.c.** 21-157  
Authorizing the issuance of Tax Allocation Bonds for the Antelope Square Apartments Redevelopment Project in an amount not to exceed \$5,500,000.00 (Related Items: 21R-563, 21R-564, 21-157)  
[21-157.pdf](#)
- 7.d.** 21-158  
Change of Zone 20029 - Application of Dennis R Schworer, LLC, for a change from R-3 Residential District to H-3 Highway Commercial District, on property generally located west of North 33rd Street and Schworer Drive.  
[21-158 Ordinance.pdf](#)  
[CZ20029 SUMMARY REPORT.pdf](#)
- 7.e.** 21-159  
Street and Alley Vacation 21002 - Application of NSC, LLC, to vacate portions of North 27th Street right-of-way and Enterprise Drive right-of-way, generally located at North 27th Street and Enterprise Drive. (12/13/21 - Motion to suspend the rules to have 3rd Reading & Action on this date - Lost)  
[21-159 Ordinance.pdf](#)  
[SAV21002 - SUMMARY REPORT.pdf](#)
- 7.f.** 21-160  
Change of Zone 21047 - Application of Advantage Trucking, LLC, for a change from AG Agricultural District to H-4 General Commercial District and I-1 Industrial District, on property generally located at 4201 West O Street. (Related Items: 21-160, 21R-565)  
[21-160 Ordinance.pdf](#)
- 7.g.** 21R-565  
Approving Conditional Zoning Agreement between the City and Advantage Trucking,



LLC for property generally located at 4201 West O Street. (Related Items: 21-160, 21R-565)

[21R-565 Resolution.pdf](#)

[21R-565 Attachment.pdf](#)

[MTA 21R-565.pdf](#)

[MTA 21R-565 Attachment.pdf](#)

**7.h.** 21-161

Change of Zone 19031A - Application of MBH Landholdings, LLC, for a change from AG Agricultural District to R-3 Residential District PUD to O-3 Office Park PUD, and to H-4 General Commercial District PUD and from R-3 Residential District to R-3 (Residential District PUD to expand the existing Chateau Planned Unit Development by 107.55 acres, for 148,000 square feet of commercial floor area, a 16-pump gas station, and 221 single family dwellings on property generally located at South 40th Street and Yankee Hill Road.

(Related Items: 21-161, 21R-566)

[21-161 Ordinance.pdf](#)

**7.i.** 21R-566

Approving the Conditional Zoning Agreement between the City and MBH Landholdings, LLC, Himark Land Investments, LLC and Guy Lammle for property generally located east of S. 40th Street between Grainger Avenue and Yankee Hill Road. (Related Items: 21-161, 21R-566)

[21R-566 Resolution.pdf](#)

[21R-566 Attachment.pdf](#)

**7.j.** 21-162

An ordinance approving revised district boundaries of the City for the four City Council districts in compliance with Article IV, Section 2(a) of the Home Rule Charter of the City of Lincoln.

[21-162 Ordinance.pdf](#)

[Current District Map.pdf](#)

**7.k.** 21-163

Amending Title 24 of the Lincoln Municipal Code relating to Plumbing and Sewers by repealing Chapter 24.01 entitled "Fire Suppression Systems" in its entirety.

[21-163 Ordinance.pdf](#)

**8. RESOLUTIONS - 1ST READING**

**8.a.** 21R-596

Approving appropriations in the amount of \$250,000.00 from the operation of keno lottery funds for various Human Services. (Consent)

[21R-596 Resolution.pdf](#)

[Attachment A](#)

- 8.b.** 21R-597  
Accepting and approving the report of new and pending claims against the City for December 1 through December 15, 2021.  
[21R-597 Resolution.pdf](#)  
[21R-597 Claims Report.pdf](#)
- 8.c.** 21R-598  
Special Permit 17022A - Appeal of Dominion South LLC/James Buel amending the existing Community Unit Plan (CUP) to permit 835 dwelling units, including 462 multi-family units on approximately 152.26 acres, on the property generally located at O Street and N. 105th Street.  
[21R-598 Resolution.pdf](#)  
[SP17022A - SUMMARY REPORT.pdf](#)

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

- 9.a.** 21-169  
Approving the lease agreement between City of Lincoln and Village of Malcolm for the lease space by Aging Partners for its Senior Center Program at 137 E. 2nd Street, Malcom, NE for a term of 20 months from December 1, 2021 through August 31, 2023.  
[21-169 Ordinance.pdf](#)  
[Lease\\_1221-0823.pdf](#)
- 9.b.** 21-170  
Approving a Fourth Amendment to the Lease Agreement between the City, on behalf of the Lincoln-Lancaster County Health Department, and Enterprise Company, Inc. to extend lease term for an additional three years from November 1, 2021 through October 31, 2024 for the Health Department's Women, Infants and Children (WIC) Program located at 27th and Cornhusker Highway.  
[Fourth Amendment To Lease Agreement between LLCHD WIC and Enterprise Company Inc.pdf](#)  
[21-170 Ordinance.pdf](#)
- 9.c.** 21R-600  
Comprehensive Plan Conformance 21025 - Application of the Urban Development Director to review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan, a proposed amendment to the Lincoln Center Redevelopment Plan to add the "Cotswold Building Redevelopment Project" generally located at 311 South 7th Street. (Related Items: 21R-600, 21-171)  
[21R-600 Resolution.pdf](#)  
[21R-600 Attachments.pdf](#)  
[CPC21025 - SUMMARY REPORT.pdf](#)
- 9.d.** 21-171

Change Of Zone 21046 - Application of Cotswold Management for a change from I-1 Industrial District and B-4 Lincoln Center Business District to B-4 Landmark with historic overlay on property generally located at 311 S. 7th Street. (Related Items: 21R-600, 21-171)  
[21-171 Ordinance.pdf](#)  
[CZ21046 - SUMMARY REPORT.pdf](#)

- 9.e. 21-172  
Amending Lincoln Municipal Code Chapter 2.18 Purchasing Division by adding a new section numbered 2.18.034 entitled "Contractor Provisions" to incorporate a bid incentive for apprentice utilization.  
[21-172 Ordinance 2.18.034.pdf](#)

## 10. PENDING LIST - DATE CERTAIN

- 10.a. 21R-501  
Appeal of Special Assessment Revolving Committee recommendation regarding Paving District on Humphrey Avenue from N. 7th to N. 10th Street. (11/1/21 - Public Hearing & Action Cont'd one week to 11/8/21) (11/8/21 - Public Hearing & Action Cont'd five weeks to 12/13/21) (12/13/21 - Public Hearing & Action Cont'd six weeks to 1/24/22)

## 11. PENDING LIST

- 11.a. 21-139  
Creating Paving Special Assessment District #2636 for Frontier Road and Pinecrest Drive. (11/1/21 - Placed on Pending, No Date Certain)  
[21-139 Ordinance.pdf](#)  
[FrontierRdPinecrestDr\\_map.pdf](#)  
[FrontierRdPinecrestDr\\_Owners.pdf](#)  
[FrontierRdPinecrestDr\\_city-council-fact-sheet.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 December, open microphone sessions will be held on December 13 & December 20, 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.*