

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD
MONDAY, APRIL 18, 2022 AT 3:00 PM**

ACTION

ALL MEMBERS PRESENT EXCEPT MEGINNIS

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.** 22R-126
Approving a Professional Services Agreement Supplement No. 2 for construction services between the City and Speece Lewis Engineers, Inc., for the 27th/Fairfield & West "O" Street Bridges Projects.
(ADOPTED, 6-0; A-93276)
[27th/Fairfield & West "O" Street Bridges Supp No 2 Agreement](#)
[27th/Fairfield & West "O" Street Bridges Supp No 2 Fact Sheet](#)
[22R-126 Resolution.pdf](#)
- 1.b.** 22R-145
Approving the distribution of funds representing interest earnings on short-term investments of Idle Funds during the month ended February 28, 2022.
(ADOPTED, 6-0; A-93277)
[Idle Funds Month Ending 02.28.22.pdf](#)
- 1.c.** Affidavits of Mailing for Board of Equalization Meeting for College View Business Improvement District, Havelock Business Improvement District, North 27th Street Business Improvement District, South Street Business Improvement District, University Place Business Improvement District, and the West "O" Street Business Improvement District to be held on Monday, May 2nd, 2022, at 3:00 p.m. (Placed on file)
- 1.d.** Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on April 4, 2022. (Placed on file)

2. PETITIONS & COMMUNICATIONS

- 2.a.** REFERRED TO THE PLANNING DEPARTMENT:
Change of Zone 22008, from AGR (Agricultural Residential District) to R 1 (Residential District), on property generally located at South 88th Street and Pioneers Boulevard.
Special Permit 22007, to allow for a CUP (Community Unit Plan) over approximately

2.65 acres for up to 8 dwelling units with associated waivers to: sidewalks and sidewalk location; sanitary sewer flow opposite street grade, location, and depth; yard setbacks; local street standard; and storm water detention, on property generally located at South 88th Street and Pioneers Boulevard

- 2.b.** PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:
Administrative Amendment 22021 to Use permit #22004 Elizabeth Park North, approved by the Planning Director on March 31, 2022, to convert the approved commercial floor area to 25 multi-family dwelling units, on property generally located on North 26th Street and Kensington Drive.
Administrative Amendment 22025 to Special Permit #1948 Crown Castle Personal Wireless Facility, approved by the Planning Director on March 31, 2022, to delete the 15-year limit on the approval of the special permit per Resolution #PC-00732, on property generally located at 2120 Hazel Scott Drive.

3. MISCELLANEOUS REFERRALS - NONE.

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

- 4.a.** 22R-141
Manager Application of Gary L. Shute for On the Rise, LLC dba Blaze Pizza located at 1317 Q Street, Suites 170 & 180.
(ADOPTED, 6-0; A-93278)
[22R-141 Gary Shute for Blaze app.pdf](#)
[22R-141 Gary Shute for Blaze den.pdf](#)
[22R-141 Ltr and Application.pdf](#)
- 4.b.** 22R-142
Application of SMG Food and Beverage, LLC for a Special Designated License to cover an outdoor area measuring approximately 97 feet by 176 feet at Pinnacle Bank Arena at 400 Pinnacle Drive on April 23, 2022 from 12:00 p.m. to 7:30 p.m.
(ADOPTED, 6-0; A-93279)
[22R-142 SMG PBA SDL app.pdf](#)
[22R-142 SMG PBA SDL den.pdf](#)
[22R-142 SMG PBA SDL Application.pdf](#)
- 4.c.** 22R-143
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 May 10 & 14, 2022 from 6:00 a.m. to

2:00 a.m., June 12, 16 & 18, 2022 from 6:00 a.m. to 2:00 a.m., July 27, 28, 29, & 30, 2022 from 6:00 a.m. to 2:00 a.m., August 2, 5, 10, 21, & 29, 2022 from 6:00 a.m. to 2:00 a.m. and September 16 & 23 2022, from 6:00 a.m. to 2:00 a.m.

(ADOPTED, 6-0; A-93280)

[22R-143 SMG Pinewood SDL app.pdf](#)

[22R-143 SMG Pinewood SDL den.pdf](#)

[22R-143 PWB Maps-for SDL \(1\).pdf](#)

[22R-143 PWB SDL App Aug 2.pdf](#)

[22R-143 PWB SDL App Aug 5.pdf](#)

[22R-143 PWB SDL App Aug 10.pdf](#)

[22R-143 PWB SDL App Aug 21.pdf](#)

[22R-143 PWB SDL App Aug 29.pdf](#)

[22R-143 PWB SDL App July 27.pdf](#)

[22R-143 PWB SDL App July 28.pdf](#)

[22R-143 PWB SDL App July 29.pdf](#)

[22R-143 PWB SDL App July 30.pdf](#)

[22R-143 PWB SDL App June 12.pdf](#)

[22R-143 PWB SDL App June 16.pdf](#)

[22R-143 PWB SDL App June 18.pdf](#)

[22R-143 PWB SDL App May 10.pdf](#)

[22R-143 PWB SDL App May 14.pdf](#)

[22R-143 PWB SDL App Sept 16.pdf](#)

[22R-143 PWB SDL App Sept 23.pdf](#)

4.d. 22R-144

Application of Nebraska Horsemen's BPA Inc. dba Lincoln Race Course for a Special Designated License to cover an outdoor area measuring approximately 124 feet by 96 feet at 7055 S. 1st Street on May 6, 2022 from 8:00 a.m. to 12:00 a.m.

(ADOPTED, 6-0; A-93281)

[22R-144 Lincoln Race SDL app.pdf](#)

[22R-144 Lincoln Race Course SDL den.pdf](#)

[22R-144 SDL App Lincoln Race Course.pdf](#)

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

5.a. 22R-127

Approving a Grant Agreement between the City of Lincoln on behalf of the Lincoln-Lancaster County Health Department and NEHA-FDA for a \$300,000.00 grant for the Expanding the AMC Risk Factor-Specific Best Practices with Progressive Enforcement/Intervention for Poor Performing Food Establishments, an Active Managerial Control Inspection Model expansion and Retail Program Standards Coordination Project for a three year term.

(ADOPTED FOR APPROVAL, 6-0; A-93282)

[22R-127 Resolution.pdf](#)
[22R-127 Attachment.pdf](#)

- 5.b.** 22R-128
Approving a Grant Agreement between the City of Lincoln on behalf of the Lincoln-Lancaster County Health Department and the NEHA-FDA for a \$165,000.00 grant for LLCHD Retail Voluntary Program Standards Advancement for a three year term.
(ADOPTED FOR APPROVAL, 6-0; A-93283)
[22R-128 Resolution.pdf](#)
[22R-128 Attachment.pdf](#)

- 5.c.** 22R-129
Special Permit 1855A - Application of REGA Engineering Group, Inc to amend the existing special permit to adjust setbacks on the property generally located at 5955 S. 56th Street.
(ADOPTED FOR APPROVAL, 6-0; A-93284)
[22R-129 Resolution.pdf](#)
[SP1855A - SUMMARY REPORT.pdf](#)

- VOTE ON RESOLUTIONS -

6. PUBLIC HEARING - ORDINANCES 2ND READING & RELATED RESOLUTIONS (ITEMS 6.A. THROUGH 6.M. HAD 2ND READING)

- 6.a.** 22-56
Change of Zone 21028 - Application of Crete Carrier, to change from H-1 Interstate Commercial to H-4 General Commercial, on property generally located at 4800 West O Street. (Related Items: 22-56, 22R-106, 22R-101) (3/21/22 - Motion to Delay Public Hearing to weeks to 04/04/22) (04/04/22 – Motion to delay for two weeks to 04/18/22)
[22-56 Ordinance.pdf](#)
[CZ21028 - SUMMARY REPORT.pdf](#)

- 6.b.** 22R-106
Approving the Conditional Zoning Agreement between the City and Crete Carriers for the property generally located at NW 48th St. and W. "O" Street. (Related Items: 22-56, 22R-106, 22R-101) (3/21/22 - Motion to Delay Public Hearing to weeks to 04/04/22) (04/04/22 – Motion to delay for two weeks to 04/18/22)
[22R-106 Resolution.pdf](#)
[22R-106 Attachment.pdf](#)

- 6.c.** 22R-101
Special Permit 21029 - Application of Crete Carrier, to allow for up to 130,000 square feet of commercial floor area on 23.48 acres, with associated waivers on property

generally located at 4800 West O Street. (Related Items: 22-56, 22R-106, 22R-101)
(3/21/22 - Motion to Delay Public Hearing to weeks to 04/04/22) (04/04/22 – Motion
to delay for two weeks to 04/18/22)

[22R-101 Resolution.pdf](#)

[SP21029 - SUMMARY REPORT.pdf](#)

6.d. 22-65

Establishing a pilot program temporarily governing Food Trucks in the public roadways
of the City.

[22-65 Ordinance \(Food Truck Pilot Program\).pdf](#)

6.e. 22-67

Annexation 21005 - Application of Industrial Salt Development, LLC, to annex
approximately 53.30 acres, more or less, on property generally located west of North
56th Street between Alvo and Arbor Roads. (Related Items: 22-67; 22-68; 22R-130)

[22-67 Ordinance.pdf](#)

[22-67 Attachment.pdf](#)

[AN21005 - SUMMARY REPORT.pdf](#)

6.f. 22-68

Change of Zone 21038 - Application of Industrial Salt Development, LLC, to change
from AG Agricultural District, H-1 Interstate Commercial District, and H-3 Highway
Commercial District to H-4 General Commercial District on property generally located
at North 56th Street and Arbor Road. (Related Items: 22-67; 22-68; 22R-130)

[22-68 Ordinance.pdf](#)

[22-68 Attachment.pdf](#)

[CZ21038 - SUMMARY REPORT.pdf](#)

6.g. 22R-130

Approving the Conditional Annexation and Zoning Agreement between the City and
Industrial Salt Development, LLC, for the annexation and development of property
generally located southwest of the intersection of Arbor Road and N. 56th Street.
(Related Items: 22-67; 22-68, 22R-130)

[22R-130 Resolution.pdf](#)

[22R-130 Attachment.pdf](#)

6.h. 22-69

Annexation 22004 - Application of Southwest Folsom Development, LLC to annex
approximately 35.80 acres, more or less, on property generally located at West Old
Cheney Road and SW 12th Street. (Related Items: 22-69; 22-70)

[22-69 Ordinance.pdf](#)

[22-69 Attachment.pdf](#)

[AN22004 - SUMMARY REPORT.pdf](#)

6.i. 22-70

Change of Zone 22006 - Application of South Folsom Development LLC, to change from AG Agricultural District to R-3 Residential District on property generally located at West Old Cheney Road and SW 12th Street. (Related Items: 22-69; 22-70)

[22-70 Ordinance.pdf](#)

[22-70 Attachment.pdf](#)

[CZ22006 - SUMMARY REPORT.pdf](#)

6.j.

22R-131

Comprehensive Plan Amendment 22001 - Application of the Lincoln-Lancaster County Planning Department to amend the Lincoln-Lancaster County 2050 Comprehensive Plan to revise the Future Land Use Map, Growth Tiers Map, and Future Service Limit, to include a new Commercial area on the east side of Highway 77 near W Pioneers Blvd and change the existing Commercial area to Urban Residential on the west side of Highway 77 near W Pioneers Blvd, change a small portion of land from Green Space to Urban Residential northeast of S Folsom and W Old Cheney, change a parcel northwest of S Folsom and W Old Cheney from Urban Residential to Public, change Wilderness Park to Growth Tiers 1A, 1B, and 1C in various locations, including associated updates to the Future Service Limit, change the area near Pioneers Blvd and Highway 77 from Tier 1C to Tier 1B, and change several parcels with approved development plans from Tier 1B to Tier 1A, on property generally bounded by SW 12th St. on the west, Van Dorn St. on the north, the railroad on the east, and Rokeby Rd on the south on property generally located at Hwy 77 and W Pioneers Blvd.

[22R-131 Resolution.pdf](#)

[22R-131 Attachments.pdf](#)

[CPA22001 - SUMMARY REPORT.pdf](#)

6.k.

22-71

Annexation 21013 - Application of Wilderness Crossing, LLC to annex approximately 141.46 acres, more or less, on property generally located at the southeast corner of Hwy 77 and W Pioneers Blvd.

[22-71 Ordinance.pdf](#)

[22-71 Attachment.pdf](#)

[AN21013 - SUMMARY REPORT.pdf](#)

6.l.

22-72

Change of Zone 21057 - Application of Wilderness Crossing, LLC to change from AG Agricultural District to R-3 Residential District PUD Planned Unit Development for the Wilderness Crossing PUD for up to 575 residential units and 30,000 square feet for commercial floor area with requested waivers on the property generally located at 4575 South 1st Street and W Pioneers Blvd. (Related Items: 22-72; 22R-132)

[22-72 Ordinance.pdf](#)

[22-72 Attachment.pdf](#)

[CZ21057 - SUMMARY REPORT.pdf](#)

6.m.

22R-132

Approving the Annexation and Change of Zone Agreement between the City and Wilderness Crossing, LLC for the property generally located west of S. 1st Street and south of Pioneers Boulevard. (Related Items: 22-72; 22R-132)

[22R-132 Resolution.pdf](#)

[22R-132 Attachment.pdf](#)

- END PUBLIC HEARING -

7. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

7.a. 22-64

Approving a Contract between the City and Lincoln Haymarket Development Corporation to operate and regulate a Saturday Public Market in the Haymarket area from May 7, 2022 through October 15, 2022 and May 6, 2023 through October 14, 2023.

(PASSED, 6-0; 21254)

[22-64 Ordinance.pdf](#)

[22-64 Attachment.pdf](#)

7.b. 22-66

Approving the Equipment Lease Agreement between the City of Lincoln and Exchange Bank for the lease and financing of maintenance golf carts for a 58 month term.

(PASSED, 6-0; 21255)

[22-66 Ordinance.pdf](#)

[22-66 Attachment.pdf](#)

8. RESOLUTIONS - 1ST READING (ITEMS 8.A. THROUGH 8.C. HAD A 1ST READING)

8.a. 22R-138

Reappointment of Dallas McGee to the Lincoln Housing Authority Board for a term to expire July 1, 2027. (Consent)

[22R-138 Resolution.pdf](#)

8.b. 22R-139

Approving the Memorandum of Understanding between the City of Lincoln on behalf the Lincoln Police Department and the Nebraska Department of Motor Vehicles for the use of DMV Facial Recognition System for a four year period with the option to extend for two additional four-year terms.

[22R-139 Resolution.pdf](#)

[22R-139 Attachment.pdf](#)

8.c. 22R-140

Approval of Amendment No. 6 to the Waterford Conditional Annexation and Zoning Agreement between the City, Waterford Estates, LLC and BSBSJ, LLC related to the construction and funding of the N. 98th Street and Waterford Estates Drive southbound

right turn lane.

[22R-140 Resolution.pdf](#)

[22R-140 Attachment.pdf](#)

9. ORDINANCES - 1ST READING & RELATED RESOLUTIONS (ITEMS 9.A. HAD 1ST READING)

9.a. 22-73

Approving the lease agreement between City of Lincoln and County of Polk for the lease space by Aging Partners for its Personal and Family Services program at 400 Hawkeye Street, Osceola, NE from May 1, 2022 through August 31, 2023.

[22-73 Ordinance.pdf](#)

[22-73 Attachment.pdf](#)

10. PENDING LIST - DATE CERTAIN

10.a. 22R-96

Use Permit 21010 - Application of Waterford Estates, LLC, to allow up to 505 multi-family dwellings units and 48,000 square feet of commercial floor area on approximately 24.24 acres, with associated waivers, on property generally located at North 98th Street and Boathouse Road. (Related Items: 22-54, 22R-96) (3/21/22 - Motion to delay for one week to 04/04/2022) (04/04/22 – Motion to delay for four weeks to 04/25/22)

[22R-96 Resolution.pdf](#)

[UP21010 - 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 April, open microphone sessions will be held on April 11th & April 25th 2022.

ADJOURNMENT 10:18 PM

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 LNKTVCity and re-aired later. For a schedule, visit lincoln.ne.gov (keyword: LNKTVCity). LNKTVCity 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: LNKTVCity) and available later at youtube.com/LNKTVCity.

LNKTVCity, 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 LNKTVCity, Health, and Education programs. Residents with Roku or Apple TV devices will find LNKTVCity 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.