

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD  
MONDAY, APRIL 25, 2022 AT 5:30 PM**

**ACTION**

**ALL MEMBERS PRESENT**

**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-138  
Reappointment of Dallas McGee to the Lincoln Housing Authority Board for a term to expire July 1, 2027.  
(ADOPTED, 7-0; A-93285)  
[22R-138 Resolution.pdf](#)
- 1.b.** 22R-150  
Approving the assessment resolution for College View Business Improvement District and assessing the cost against the benefitted properties.  
(ADOPTED, 7-0; A-93286)  
[22R-150 Resolution.pdf](#)  
[22R-150 BID Maps Overview\\_CollegeView 030415.pdf](#)  
[22R-150 Board EQ memo 2022.pdf](#)
- 1.c.** 22R-151  
Approving the assessment resolution for Havelock Business Improvement District and assessing the cost against the benefitted properties.  
(ADOPTED, 7-0; A-93287)  
[22R-151 Resolution.pdf](#)  
[22R-151 BID Maps Overview\\_Havelock 2 030415.pdf](#)  
[22R-151 Board EQ memo 2022.pdf](#)
- 1.d.** 22R-152  
Approving the assessment resolution for North 27th Street Business Improvement District and assessing the cost against the benefitted properties.  
(ADOPTED, 7-0; A-93288)  
[22R-152 Resolution.pdf](#)  
[22R-153 BID Maps Overview\\_SouthSt 030415.pdf](#)  
[22R-153 Board EQ memo 2022.pdf](#)
- 1.e.** 22R-153  
Approving the assessment resolution for South Street Business Improvement District and assessing the cost against the benefitted properties.

(ADOPTED, 7-0; A-93289)

- 1.f.** 22R-154  
Approving the assessment resolution for University Place Business Improvement District and assessing the cost against the benefitted properties.  
(ADOPTED, 7-0; A-93290)  
[22R-154 Resolution.pdf](#)  
[22R-154 Board EQ memo 2022.pdf](#)  
[22R-154 BID Maps Overview\\_UNI 030415.pdf](#)
- 1.g.** 22R-155  
Approving the assessment resolution for West O Street Business Improvement District and assessing the cost against the benefitted properties.  
(ADOPTED, 7-0; A-93291)  
[22R-155 Resolution.pdf](#)  
[22R-155 Board EQ memo 2022.pdf](#)  
[22R-155 West O BID map.pdf](#)
- 1.h.** Report regarding Settlement Agreement under Neb. Rev. Stat. § 84-713 (Non-Tort Claims) in Elise Poole and Jackie Buntgen v. City of Lincoln, et al.  
(PLACED ON FILE)
- 1.i.** Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on April 11, 2022.  
(PLACED ON FILE)

## **2. PETITIONS & COMMUNICATIONS**

- 2.a.** 22R-156  
Setting the hearing date of Monday, May 2, 2022 at 3:00 p.m. on the Manager Application of Michael G. Tilson for Home Grown Industries dba Mellow Mushroom located at 601 R Street, Suite 110.  
(ADOPTED FOR APPROVAL, 7-0; A-93292)  
  
[SHD 22R-156 .pdf](#)
- 2.b.** 22R-157  
Setting the hearing date of Monday, May 2, 2022 at 3:00 p.m. on the Manager Application of Corine C. Hartshorn for Greenfields Cafe Inc. dba Greenfields located at 7900 South 87th Street.  
(ADOPTED FOR APPROVAL, 7-0; A-93293)  
[SHD 22R-157.pdf](#)

- 2.c.** REFERRED TO THE PLANNING DEPARTMENT:  
Change of Zone 22007, from H 4 (General Commercial District) to R 5 (Residential District), on property located at Northwoods Drive and Dawson Creek Bay.  
Special Permit 22006, to allow for a Community Unit Plan (CUP) for up to 16 townhome dwellings, with associated waivers to setbacks, the requirement to provide turnarounds at the ends of permanent dead-end streets, and the design standards for sanitary sewer, on property located at Northwoods Drive and Dawson Creek Bay.  
Special Permit 22008, to allow for the construction of a new commercial building, with associated waivers to a front yard setback and minimum parking, on property located at 2201 North Cotner Boulevard.  
Special Permit 22011, to allow for an Early Childhood Care Facility in an existing building, with an associated waiver to the playground area fencing design standards, on property located at 3825 Wildbriar Lane.

**3. MISCELLANEOUS REFERRALS - NONE.**

**- VOTE ON CONSENT ITEMS -**

**4. PUBLIC HEARING - LIQUOR RESOLUTIONS**

- 4.a.** 22R-158  
Application of McFarland Family Farms, LLC. Dba Mac's Creek Winery & Brewery for special designated licenses to cover an outdoor area measuring approximately 10 feet by 10 feet at the Haymarket Farmers Market at 7th and P Streets on May 7 & 21, 2022 from 8:00 a.m. to 12:00 p.m., June 4 & 18, 2022 from 8:00 a.m. to 12:00 p.m. and July 2 & 16, 2022 from 8:00 a.m. to 12:00 p.m.  
(ADOPTED FOR APPROVAL, 7-0; A-93294)  
[22R-158 McFarland Family Farms SDL Haymarket Farmers Market app.pdf](#)  
[21R-158 McFarland Family Farms SDL Haymarket Farmers Market den.pdf](#)  
[22R-158 McFarland Family SDL aPP 071622.pdf](#)  
[22R-158 McFarland SDL App 050722.pdf](#)  
[22R-158 McFarland SDL APP 052122.pdf](#)  
[22R-158 McFarland SDL App 060422.pdf](#)  
[22R-158 McFarland SDL App 061822.pdf](#)  
[22R-158 McFarland SDL App 070222.pdf](#)  
[22R-158 McFarland SDL Map.pdf](#)
- 4.b.** 22R-159  
Application of Glacial Till Vineyard & Winery LLC dba Glacial Till for special designated licenses to cover an outdoor area measuring approximately 10 feet by 10 feet at the Haymarket Farmers Market at 7th and P Streets on May 7 & 14, 2022 from

8:00 a.m. to 12:00 p.m.

(ADOPTED FOR APPROVAL, 7-0; A-93295)

[22R-159 Glacial Till Vineyard Haymarket Farmers Market SDL app.pdf](#)

[22R-159 Glacial Till Vineyard Haymarket Farmers Market SDL den.pdf](#)

[22R-159 Glacial Till Map.pdf](#)

[22R-159 Glacial Till SDL App 050722.pdf](#)

[22r-159 Glacial Till SDL APP 051422.pdf](#)

**- VOTE ON LIQUORS -**

**5. PUBLIC HEARING - RESOLUTIONS**

**5.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)

(MTA#1 ADOPTED, 6-0; ADOPTED AS AMENDED, 6-0; A-93296;  
ABSTAINED: MEGINNIS)

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

[UP21010 - SUMMARY REPORT.pdf](#)

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

[MTA 22R-96 docx.pdf](#)

**5.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.

(ADOPTED, 7-0; A-93297)

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

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

**5.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.

(ADOPTED, 6-0; A-93298; ABSTAINED: MEGINNIS)

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

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

**- VOTE ON RESOLUTIONS -**

**6. PUBLIC HEARING - ORDINANCES 2ND READING & RELATED RESOLUTIONS (ITEM 6.A. HAD 2ND READING)**

**6.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](#)

**- END PUBLIC HEARING -**

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

**7.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)

(PASSED, 7-0; 21256)

[22-56 Ordinance.pdf](#)

[CZ21028 - SUMMARY REPORT.pdf](#)

**7.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)

(ADOPTED 7-0; A-93299)

[22R-106 Resolution.pdf](#)

[22R-106 Attachment.pdf](#)

**7.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)

(ADOPTED, 7-0; A-93300)

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

[SP21029 - SUMMARY REPORT.pdf](#)

**7.d. 22-65**

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

(PASSED, 7-0; 21257)

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

- 7.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)  
(PASSED, 7-0; 21258)  
[22-67 Ordinance.pdf](#)  
[22-67 Attachment.pdf](#)  
[AN21005 - SUMMARY REPORT.pdf](#)
- 7.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)  
(PASSED, 7-0; 21259)  
[22-68 Ordinance.pdf](#)  
[22-68 Attachment.pdf](#)  
[CZ21038 - SUMMARY REPORT.pdf](#)
- 7.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)  
(ADOPTED, 7-0; A-93301)  
[22R-130 Resolution.pdf](#)  
[22R-130 Attachment.pdf](#)
- 7.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)  
(PASSED, 7-0; 21260)  
[22-69 Ordinance.pdf](#)  
[22-69 Attachment.pdf](#)  
[AN22004 - SUMMARY REPORT.pdf](#)
- 7.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)  
(PASSED, 7-0; 21261)  
[22-70 Ordinance.pdf](#)  
[22-70 Attachment.pdf](#)  
[CZ22006 - SUMMARY REPORT.pdf](#)

- 7.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.  
(VERBAL MOTION TO DELAY FOR THREE WEEKS, LOST 2-5; VERBAL MOTION TO DELAY FOR ONE WEEK, LOST 2-5; MTA#1 ADOPTED, 7-0; ADOPTED AS AMENDED, 5-2; A-93302)  
[22R-131 Resolution.pdf](#)  
[22R-131 Attachments.pdf](#)  
[CPA22001 - SUMMARY REPORT.pdf](#)  
[MTA 22R-131 docx.pdf](#)  
[22R-131 MTA Resolution.pdf](#)  
[22R-131 MTA Attachments.pdf](#)
- 7.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.  
(VERBAL MOTION TO DELAY FOR THREE WEEKS, LOST 2-5; MTA#1, LOST, 2-5; PASSED AS AMENDED, 5-2; 21262)  
[22-71 Ordinance.pdf](#)  
[22-71 Attachment.pdf](#)  
[AN21013 - SUMMARY REPORT.pdf](#)
- 7.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)  
(VERBAL MOTION TO DELAY FOR THREE WEEKS, LOST 2-5; MTA#2 LOST 2-5; MTA#1 ADOPTED, 5-2; PASSED AS AMENDED, 5-2; 21263)  
[22-72 Ordinance.pdf](#)  
[22-72 Attachment.pdf](#)  
[CZ21057 - SUMMARY REPORT.pdf](#)  
[22-72 Motion to Amend - City Council 4-21-22.pdf](#)  
[22-72 Ordinance - Marked Revisions \(4\) 4-21-22.pdf](#)

- 7.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)  
(VERBAL MOTION TO DELAY FOR THREE WEEKS, LOST 2-5; ADOPTED, 6-1; A-93303)  
[22R-132 Resolution.pdf](#)  
[22R-132 Attachment.pdf](#)

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

- 8.a.** 22R-146  
Approving the On-Call Professional Services Task Order Agreement between the City and Alfred Benesch & Company to provide preliminary engineering services for the A Street, 6th to 17th Street Project, Project No. LCLC-5220(7), Control No. 13495.  
[22R-146 Resolution.pdf](#)  
[A Street, 6th to 17th Street Fact Sheet PE Scoping](#)  
[A Street, 6th to 17th Street Agreement PE Scoping](#)

- 8.b.** 22R-147  
Approving the On-Call Professional Services Task Order Agreement between the City and Felsburg Holt & Ullevig to provide environmental services for the A Street, 6th to 17th Street Project, Project No. LCLC-5220(7), Control No. 13495.  
[22R-147 Resolution.pdf](#)  
[A Street, 6th to 17th Street Fact Sheet ENV Scoping](#)  
[A Street, 6th to 17th Street Agreement ENV Scoping](#)

- 8.c.** 22R-148  
Accepting and approving the report of new and pending claims against the City for April 1 through April 15, 2022.  
[22R-148 Resolution.pdf](#)  
[22R-148 Claims Report.pdf](#)

- 8.d.** 22R-149  
Approval of First Amendment and Restatement of Annexation Agreement for Fire



Ridge between the City and Fire Ridge, LLC to update legal descriptions and clarify properties to file Agreement against with the Register of Deeds.

[22R-149 Resolution.pdf](#)

[22R-149 Attachment.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 8:48 PM**

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

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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.*