

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD
MONDAY, JUNE 27, 2022 AT 5:30 PM**

ACTION

ALL MEMBERS PRESENT EXCEPT WARD

PUBLIC HEARING - CONSENT AGENDA

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

DUE TO THE INDEPENDENCE DAY HOLIDAY, CITY COUNCIL WILL NOT MEET ON JULY 4, 2022

1. REPORTS OF CITY OFFICERS

- 1.a.** 22R-237
Reappointing Jenika Long to the Aging Partners Areawide Advisory Council for a term to expire June 20, 2025.
(ADOPTED, 6-0; A-93404)
[22R-237 Resolution.pdf](#)
- 1.b.** 22R-250
Amending Resolution No. A-93339 adopted by City Council on May 23, 2022 related to City Personnel Board Appointment.
(ADOPTED, 6-0; A-93405)
[22R-250 Resolution.pdf](#)
- 1.c.** 22R-280
Investment Activity Report for Quarter Ending May 31, 2022.
(ADOPTED, 6-0; A-93406)
[Investment Quarterly Report to Council 053122.pdf](#)
- 1.d.** Lincoln Electric System Financial and Operating Statement for May 2022.
(PLACED ON FILE)
- 1.e.** Report from City Treasurer of city cash on hand at the close of business on April 30, 2022.
(PLACED ON FILE)
[Cash Letter April 2022.pdf](#)
- 1.f.** Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on May 16, 2022.
(PLACED ON FILE)

- 1.g. Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on May 23, 2022.
(PLACED ON FILE)

- 1.h. Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on June 06, 2022.
(PLACED ON FILE)

- 1.i. Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on June 13, 2022.
(PLACED ON FILE)

2. PETITIONS & COMMUNICATIONS

- 2.a. 22R-281
Setting the hearing date of Monday, July 18, 2022 at 3:00 p.m. on the Application of Lanka Lion, LLC dba The Mettle Grill for a Class I Liquor License located at 5500 South 56th Street, Suite 8.
(ADOPTED, 6-0; A-93407)
[SHD 22R-281.pdf](#)

- 2.b. PLACED ON FILE IN THE OFFICE OF THE CITY CLERK
Administrative Approval 22004 to Special Permit 08034B was approved on June 1, 2022, to revise the apartment layout of Lot 1, Block 3 by adding a community building, removing the gazebo and playground, and relocating the driveway, on property generally located at Southwest 27th Street and West A Street.
Administrative Approval 22042 to Change of Zone 05054F Prairie Village North Planned Unit Development was approved on June 9, 2022, to remove lots 13 and 14, Block 15 from the note 32, concerning mapping revisions for floodplain, on property generally located at 3346 Renegade Boulevard.
Administrative Approval 22038 to Special Permit 228K was approved on June 13, 2022, to adjust the side yard setback on the north side from 5 feet to zero for an attached garage, on property generally located at 382 West Lakeshore Drive.

- 2.c. REFERRED TO THE PLANNING DEPARTMENT
Change of Zone 22015, from R-2 (Residential District) to R-T (Residential Transition District), on property generally located at the southeast corner of North 27th Street and Leighton Avenue.
Use Permit 22005, to allow for development flexibility for up to 20 residential units and

15,000 square feet of commercial floor area, with waivers to setbacks, minimum lot size, and parking requirements, on property generally located at the southeast corner of North 27th Street and Leighton Avenue.

Change of Zone 22019, from AG (Agricultural District) to R-3 (Residential District) associated with the Grandview Estates CUP (Community Unit Plan), on property generally located at Rokeby Road and Friedman Street.

Change of Zone 22018, from AGR (Agricultural Residential District) to O-3 (Office Park District), on property generally located at 6601 South 70th Street.

Use Permit 22006, to allow for an O-3 (Office Park District), on 4.82 acres, more or less, with waivers to allow cross parking to meet minimum parking and parking in a side yard, to not require all information for a preliminary plat, light trespass, to allow a non standard termination of a street using a non standard cul de sac, and setbacks, on property generally located at 6601 South 70th Street.

Text Amendment 22004, amending the Lincoln Municipal Code Section 27.72.040(a) Maximum Height and Minimum Lot Requirements for the H Districts to amend the rear yard setback requirement for the H-1, H-2 and H-3 Zoning Districts to allow a 5-foot rear yard setback when not abutting residential.

3. MISCELLANEOUS REFERRALS - NONE.

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

4.a. 22R-270

Application of Rez, LLC dba Cheapest Damn Cigarettes for a Class D Liquor License located at 4821 Cornhusker Highway.

(ADOPTED FOR APPROVAL, 6-0; A-93408)

[22R-270 Cheapest Damn Class D app.pdf](#)

[22R-270 Cheapest Damn Class D den.pdf](#)

[22R-270 Ltr and Application for Cheapest Damn.pdf](#)

4.b. 22R-271

Manager Application of Lori Rezac for Rez, LLC dba Cheapest Damn Cigarettes located at 4821 Cornhusker Highway.

(ADOPTED FOR APPROVAL, 6-0; A-93409)

[22R-271 Lori Rezac for Cheapest app.pdf](#)

[22R-271 Lori Rezac for Cheapest den.pdf](#)

[22R-270 Ltr and Application for Cheapest Damn.pdf](#)

4.c. 22R-272

Application of The Gotham Bar, LLC dba The Gotham Bar for a Class C Liquor License located at 311 North 8th Street.

(ADOPTED FOR APPROVAL, 6-0; A-93410)

[22R-272 Gotham Bar for Class C app.pdf](#)
[22R-272 Gotham Bar for Class C den.pdf](#)
[22R-272 Ltr and Application for Gotham.pdf](#)

- 4.d.** 22R-273
Manager Application of Leo M. Bretta for The Gotham Bar, LLC dba The Gotham Bar located at 311 North 8th Street.
(ADOPTED FOR APPROVAL, 6-0; A-93411)
[22R-273 Leo Bretta for Gotham Bar app.pdf](#)
[22R-273 Leo Bretta for Gotham Bar den.pdf](#)
[22R-272 Ltr and Application for Gotham.pdf](#)
- 4.e.** 22R-274
Application of JJF Enterprises, LLC dba The Post for a Class CK Liquor License located at 2001 N Street.
(ADOPTED FOR APPROVAL, 6-0; A-93412)
[22R-274 The Post Class CK app.pdf](#)
[22R-274 The Post CK den.pdf](#)
[22R-274 Ltr and Application for the Post.pdf](#)
- 4.f.** 22R-275
Manager Application of Jesse J. Foster for JJF Enterprises, LLC dba The Post located at 2001 N Street.
(ADOPTED FOR APPROVAL, 6-0; A-93413)
[22R-275 Jesse Foster for the Post app.pdf](#)
[22R-275 Jesse Foster for the Post den.pdf](#)
[22R-274 Ltr and Application for the Post.pdf](#)
- 4.g.** 22R-276
Manager Application of Richard W. Fountain for Disable American Veteran dba DAV Robert Flansburg Chapter 7 located at 3901 North 70th Street.
(ADOPTED FOR APPROVALFOR APPROVAL, 6-0; A-93414)
[22R-276 Richard Fountain for DAV app.pdf](#)
[22R-276 Riuchard Fountain for DAV den.pdf](#)
[22R-276 Ltr and Application for Richrd Fountain for DAV.pdf](#)
- 4.h.** 22R-277
Manager Application of Christopher L. Martinez for Whole Foods Market Nebraska, LLC dba Whole Foods Market located at 6055 O Street.
(ADOPTED FOR APPROVAL, 6-0; A-93415)
[22R-277 Christopher Martinez for Whole Foods app.pdf](#)
[22R-277 Christopher Martinez for Whole Foods den.pdf](#)
[22R-277 Ltr and Application for Christopher Marinez for Whole Foods.pdf](#)
- 4.i.** 22R-278

Manager Application of Amber S. Thompson for Salt Creek Hospitality, LLC dba Towneplace Suites by Marriott located at 7353 Husker Circle.

(ADOPTED FOR APPROVAL, 6-0; A-93416)

[22R-278 Amber Thompson for Towneplace Class I app.pdf](#)

[22R-278 Amber Thompson for Towneplace.pdf](#)

[22R-278 Ltr and Application for Towneplace Suites.pdf](#)

4.j.

22R-279

Application of Zoo Blues Inc. dba Zoo Bar for a special designated license to cover an outdoor area measuring approximately 438 feet by 267 feet at 14th Street between O and P Streets on July 8, 2022 from 4:00 p.m. to 1:00 a.m. and July 9, 2022 from 12:00 p.m. to 1:00 a.m.

(ADOPTED FOR APPROVAL, 6-0; A-93417)

[22R-279 Zoob Bar app SDL.pdf](#)

[22R-279 Zoo Bar den SDL.pdf](#)

[Zoofest 49.pdf](#)

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

5.a.

22R-251

Comprehensive Plan Conformance 22006 - 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 amend the "Gold's Redevelopment Project" to create a new project area "Gold's Redevelopment Project-Phase One to include the renovation and rehabilitation of the original Gold's Building, for a hotel, commercial space, and underground parking on property generally located at 1023 and 1033 O Street.

(ADOPTED, 7-0; A-93418)

[22R-251 Resolution.pdf](#)

[22R-251 Attachment.pdf](#)

[CPC22006 - SUMMARY REPORT.pdf](#)

5.b.

22R-252

Comprehensive Plan Conformance 22007 - Application of the Urban Development Director to review as to conformance with the 2050 Lincoln-Lancaster Comprehensive Plan, an amendment to the Lincoln Center Redevelopment Plan, to revise the "Lincoln Flats/Bank of the West Project" to adjust the project area and availability of TIF to complete additional right-of-way improvements, on property generally located at 1314 O Street.

(ADOPTED, 4-2; A-93419)

[22R-252 Resolution.pdf](#)

[22R-252 Attachments.pdf](#)

[CPC22007 - SUMMARY REPORT.pdf](#)

- VOTE ON RESOLUTIONS -

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

- 6.a.** 22-105
Approving the lease agreement between the City of Lincoln on behalf of the Lincoln-Lancaster County Health Department and Quadient Leasing for the lease of a postage meter machine.
[SubmissionReceipt-InsuranceRequirements-390.pdf](#)
[Quadient Insurance - City 4-1-23.pdf](#)
[22-105 Attachment.pdf](#)
[22-105 Ordinance.pdf](#)

- END PUBLIC HEARING -

7. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

- 7.a.** 22-79
Approving a Master Lease Agreement between the City on behalf of Lincoln Fire and Rescue and Flex Financial, a division of Stryker Sales, LLC for the lease of equipment to be utilized by Lincoln Fire and Rescue for a 5 year term.
(PASSED, 6-0; #21286)
[22-79 Ordinance.pdf](#)
[22-79 Attachment.pdf](#)
- 7.b.** 22-96
Amending the pay schedule for the employee group whose classifications are assigned to the pay range prefixed by the letter "W" by creating the classifications of " Learning and Organizational Development Division Leader" and "Human Resources Information System Division Leader."
(PASSED, 6-0; #21287)
[22-96 Ordinance.pdf](#)
[PS0622 Learning and Organizational Development Leader.pdf](#)
[PS0623 HRIS Division Leader.pdf](#)
- 7.c.** 22-97
Amending the pay schedule for the employee group whose classifications are assigned to the pay range prefixed by the letter "C" by creating the classification of "Audio-Video Analyst."
(PASSED, 6-0; #21288)
[22-97 Ordinance.pdf](#)
[PS3151 Audio-Video Analyst.pdf](#)
- 7.d.** 22-98

Text Amendment 22001 - Request of Eating Enterprise West O, LLC, to amend Lincoln Municipal Code Chapter 27.72, Section 27.72.060 (t) to allow vehicle stacking for drive-in/drive through facilities in the rear yard setback in B-1, B-3, H-1, H-2 and H-3 zoning districts.

(PASSED, 6-0; #21289)

[22-98 Ordinance.pdf](#)

[TX22001 - SUMMARY REPORT.pdf](#)

7.e. 22-99

Text Amendment 22003 - Request of Whitehead Oil Company to amend Lincoln Municipal Code Section 27.06.170, Heavy Commercial Services Use Group to allow truck wash facilities as a permitted use in H-4 Zoning Districts and amend Section 27.63.470(a)(25) Planned Services Commercial, pertaining to motor vehicle and/or truck wash facility to remove conditions related to vehicle stacking.

(PASSED, 6-0; #21290)

[22-99 Ordinance revised.pdf](#)

[TX22003 - SUMMARY REPORT.pdf](#)

7.f. 22-100

Change of Zone 22010 - Application of John Badami on behalf of Cadre Architecture for a change from R-7 Residential to R-7 Residential with landmark overlay, on the property generally located at 480 North 16th Street.

(PASSED, 6-0; #21291)

[22-100 Ordinance.pdf](#)

[22-100 Attachment.pdf](#)

[CZ22010 - SUMMARY REPORT.pdf](#)

7.g. 22-101

Street & Alley Vacation 22001 - Application of Parks and Recreation Department to vacate a portion of South 16th Street running through Rudge Park between Lake Street and Harrison Avenue along with additional unnamed right-of-way extending from Harrison Avenue to Perkins Boulevard extending through Rudge Park generally located at S. 16th Street from Lake Street to Harrison Avenue.

(PASSED, 6-0; #21292)

[22-101 Ordinance.pdf](#)

[22-101 Attachment.pdf](#)

[SAV22001 - SUMMARY REPORT.pdf](#)

7.h. 22R-235

Comprehensive Plan Conformance 22004 - Application of the Urban Development Director, to review as to conformance with the 2050 Lincoln-Lancaster Comprehensive Plan, a proposed new "Bishop Heights Redevelopment Plan", to develop retail space, office space, and multi-family dwelling units on 22.18 acres of land, generally located at the Bishop Heights Shopping Center at the northeast corner of S. 27th Street & Hwy 2. (Related Items: 22R-235, 22-102)

(ADOPTED, 6-0; A-93420)
[22R-235 Resolution.pdf](#)
[22R-235 Attachments.pdf](#)
[CPC22004 - SUMMARY REPORT.pdf](#)

7.i. 22-102
Change of Zone 22012 - Application of Olsson Associates for a change of zone from R-1 Residential to a B-1 PUD Planned Unit Development and B-1 Local Business to B-1 PUD Planned Unit Development for 230 multi-family dwellings, up to 115,000 square feet of commercial floor area or a 150-room hotel and 95,000 square feet of commercial floor area, with waivers on the property generally located at South 27th Street and Hwy 2. (Related Items: 22R-235, 22-102)
(PASSED, 6-0; #21293)
[22-102 Ordinance.pdf](#)
[CZ22012 SUMMARY REPORT.pdf](#)

7.j. 22R-241
Amending the FY 21/22 CIP to authorize and appropriate \$3,607,264.00 in Tax Increment Financing for the Instinct Redevelopment Project. (Related Items: 22R-240, 22R-241, 22-103)
(ADOPTED, 6-0; A-93421)
[22R-241 Resolution \(v2\).pdf](#)

7.k. 22-103
Authorizing the issuance of Tax Allocation Bonds for the Instinct Redevelopment Project in an amount not to exceed \$3,607,264.00. (Related Items: 22R-240, 22R-241, 22-103)
(PASSED, 7-0; #21294)
[22-103 Ordinance.pdf](#)

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

8.a. 22R-264
Reappoint John Wyvill to the Aging Partners Areawide Advisory Council for a term to expire June 30, 2025. (Consent)
[22R-264 Resolution.pdf](#)

8.b. 22R-265
Reappoint Irina Garakian to the Aging Partners Areawide Advisory Council for a term to expire June 30, 2025. (Consent)
[22R-265 Resolution.pdf](#)

8.c. 22R-266
Accepting and approving the report of new and pending claims against the City for June 1 through June 15, 2022.

[22R-266 Resolution.pdf](#)
[22R-266 Claims Report.pdf](#)

- 8.d.** 22R-267
Approving the naming of the Nature Camp Building in the Pioneers Park Nature Center as the "Lynn Johnson Nature Education Building"
[22r-267 Resolution.pdf](#)

- 8.e.** 22R-268
Approval of Amendment No. 1 of the Conditional Annexation and Zoning Agreement for Legends between the City and Legends Venture, LLC.
[22R-268 Resolution.pdf](#)
[22R-268 Attachment.pdf](#)

- 8.f.** 22R-269
Approving the Interlocal Agreement between the City, Lancaster County and Lincoln Airport Authority to provide \$1,500,000.00 in Minimum Revenue Guarantees for additional flights into Lincoln.

[22R-269 Resolution.pdf](#)
[22R-269 Attachment.pdf](#)

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

- 9.a.** 22-108
Comprehensive Plan Conformance 22010 - Declaring City-owned property generally located at 1005 O Street as surplus.
[22-108 Ordinance.pdf](#)
[CPC22010 - SUMMARY REPORT.pdf](#)

- 9.b.** 22-109
Amending Lincoln Municipal Code Chapter 6.02 Definitions to add new sections numbered 6.02.092 to define "Attack", 6.02.095 to define "Bite", and 6.02.295 to define "Home Observation"; by amending Section 6.04.350 to specify that it shall be unlawful to sell, offer for sale, barter, or give away any puppy or kitten under the age of eight weeks; by amending Section 6.04.355 to add that "attacks" are unlawful to be consistent with the definition; by amending Chapter 6.08 Dogs and Chapter 6.12 Cats to add new sections numbered 6.08.235 and 6.12.210 to set forth when home observations are allowed; and repealing Sections 6.04.350 and 6.04.355 of the Lincoln Municipal Code as hitherto existing.
[22-109 Ordinance Title 6 Animals.pdf](#)

10. PENDING LIST – EXTENDED ONE WEEK.

10.a. 22-78

Approving an Agreement for Tower Space and Appurtenances between the City and DISH Wireless, LLC to occupy and use certain city-owned parcel of real property and Tower generally located at 4375 S. 33rd St. (05/09/22 - Motion to continue public hearing one week to 05/16/22) (5/16/22 - Motion to continue public hearing one week to 05/23/22) (05/23/22 – Placed on Pending, no date certain)

[22-78 Ordinance.pdf](#)

[22-78 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 June, open microphone sessions will be held on June 13th & June 27th 2022.

ADJOURNMENT -7:50 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 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.