AGENDA FOR THE REGULAR CITY COUNCIL MEETING TO BE HELD MONDAY, OCTOBER 19, 2020 AT 3:00 PM

ANNOUNCEMENT

Limited seating is available in the Council Chambers or you may wait in the Bill Luxford Studio or the hallway until your item is called. Then you can enter the Council Chambers & come to the podium. After you are finished speaking, you can exit the chambers through the door to your immediate left.

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. 20R-408

Appointing Quentin Brown to the Community Health Endowment Board of Trustees for a term to expire September 1, 2023.

20R-408 Resolution.pdf

Brown Resume.pdf

1.b. 20R-409

Appointing Mark Wilson to the Community Forestry Advisory Board for a term to expire August 14, 2023.

20R-409 Resolution.pdf

1.c. 20R-419

Appointing Lorenzo Ball to the Lincoln-Lancaster County Planning Commission for a term to expire August 24, 2025.

20R-419 Resolution.pdf

Lorenzo Ball Resume.pdf

Lorenzo Ball Application.pdf

1.d. 20R-446

Application of Backswing Brewing Co., LLC dba Backswing Brewing Company for a special designated license to cover an outdoor area measuring approximately 120 feet x 130 feet at 2101 West Van Dorn Street on October 30, 2020 from 11:00 a.m. to 12:00 a.m.

20R-446 Backswing Brewing SDL 10-19-20 app.pdf

20R-446 Backswing Brewing SDL den.pdf

SDL #127 - Backswing Brewing.pdf

1.e. 20R-447

Application of Boiler Brewing Company, LLC dba Boiler Brewing Company for a special designated license to cover an outdoor area measuring approximately 57 feet x 28 feet at 129 North 10th Street on October 31, 2020 from 8:00 a.m. to 11:59 p.m.; November 14, 2020 from 8:00 a.m. to 11:59 p.m.; November 21, 2020 from 8:00

a.m. to 11:59 p.m.; and December 12, 2020 from 8:00 a.m. to 11:59 p.m.

20R-447 Boiler Brewing SDL 10-19-20 app.pdf

20R-447 Boiler Brewing SDL den.pdf

SDL #126 - Boiler Brewing.pdf

1.f. 20R-448

Application of Rising Storm Enterprises, LLC dba Storm Cellar for a special designated license to cover an outdoor area measuring approximately 79 feet x 79 feet at 3233 1/2 South 13th Street on October 29, 2020 from 10:00 a.m. to 2:00 a.m.; October 30, 2020 from 10:00 a.m. to 2:00 a.m.; and October 31, 2020 from 10:00 a.m. to 2:00 a.m.

20R-448 Rising Storm SDL 10-19-20 app.pdf

20R-448 Rising Storm SDL den.pdf

SDL #128 - Rising Storms.pdf

1.g. Clerk's Letter & Mayor's Approval of Resolutions and Ordinances passed by City Council on September 28, 2020. (Placed on file)

Clerk's Letter.pdf

1.h. Report from City Treasurer of city cash on hand at the close of business on August 31, 2020. (Placed on file)

Cash Letter August 2020.pdf

2. PETITIONS & COMMUNICATIONS

2.a. 20R-438

Setting the hearing date of Monday, November 2, 2020, at 3:00 p.m. for the Application of Green Farms (Dai Phat) Market, LLC dba Green Farms (Dai Phat) Market for a Class D Liquor License at 4640 Bair Avenue, Suite 240.

Green Farms (Dai Phat) Market Setting the Hearing Date Reso.pdf

2.b. 20R-439

Setting the hearing date of Monday, November 2, 2020, at 3:00 p.m. for the Application of KHE, LLC dba Upside Bar and Lounge for a Class I Liquor License at 2801 Pine Lake Road, Suite H.

Upside Bar and Lounge Setting the Hearing Date Reso.pdf

2.c. 20R-440

Setting the hearing date of Monday, November 2, 2020, at 3:00 p.m. for the Application of JJAKU4, LLC dba One Lite for a Class C Liquor License at 1140 O Street

One Lite Setting the Hearing Date Reso.pdf

2.d. 20R-441

Setting the hearing date of Monday, November 2, 2020, at 3:00 p.m. for the Manager

Application of Roger D. Pettigrew for Robert Flansburg Unit 7 DAV dba DAV Robert Flansburg Chapter 7 at 3901 North 70th Street.

Pettigrew Setting the Hearing Date Mang App Reso.pdf

2.e. 20R-442

Setting the hearing date of Monday, November 2, 2020, at 3:00 p.m. for the Manager Application of Terri L. Todd for Risky Inc. dba Risky's Sports Bar & Grill at 4680 Leighton Avenue.

Todd Setting the Hearing Date Mang App Reso.pdf

2.f. PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment 20053 to Use Permit 132C, Willowbrook Shopping Center, approved by the Planning Director on September 15, 2020, to combine Lots 1, 2 and 3, Block 2 to create Lots 1 and 2, Block 2, and to increase the total floor area allowed by 14,350 square feet, thereby increasing the total floor area allowed within the center from 233,568 to 247, 918 square feet, generally located at Highway 2 and Pine Lake Road.

Administrative Amendment 20048 to Use Permit 140G, Appian Way Regional Shopping Center, approved by the Planning Director on September 25, 2020 to revise the layout for Lot 2 into Lots 2A, 2B and 2C, Block 1 and to revise the notes accordingly, generally located at South 84th Street & Highway 2.

Administrative Amendment 20054 to Special Permit/Use Permit 19C, Lincoln Surgical Center, approved by the Planning Director on September 28, 2020, to add 420 square feet to the medical office basement, generally located at South 70th Street & Lincolnshire Road.

3. MISCELLANEOUS REFERRALS

- VOTE ON CONSENT ITEMS -

4. PUBLIC HEARING - LIQUOR RESOLUTIONS

4.a. 20R-443

Application of El Mejor Mexican Restaurant, Inc., dba El Mejor Mexican Restaurant for a Class I Liquor License at 3111 Northwest 12th Street.

20R-443 El Mejor Mexican Restuart Class I app.pdf

20R-443 El Mejor Mexican Restaurant Class I den.pdf

Letter and Application for El Mejor Mexican Restaurant.pdf

4.b. 20R-444

Manager Application of Ernesto Pineda Maravilla for El Mejor Mexican Restaurant, Inc. dba El Mejor Mexican Restaurant at 3111 Northwest 12th Street.

20R-444 Ernesto Pineda Maravilla for El Mejor Mexican Restaurant Class I app.pdf 20R-444 Ernesto Pineda Maravilla for El Major Mexican Restaurant Class I den.pdf

Letter and Application for El Mejor Mexican Restaurant.pdf

4.c. 20R-445

Manager Application of Mitchell H. Martin for Qdoba Restaurant Corporation dba Qdoba Mexican Eats 2647 at 211 North 12th Street.

20R-445 Martin for Qdoba Mexican Grill .pdf

20R-445 Martin for Qdoba Mexican Grill den .pdf

Letter and Application for Mitchel Martin.pdf

4.d. 20R-449

Application of McKenny's Pub, LLC dba McKinneys Irish Pub for a special designated license to cover an outdoor area measuring approximately 25 feet x 90 feet at 151 North 8th Street on October 31, 2020 from 8:00 a.m. to 12:00 a.m.; November 14, 2020 from 8:00 a.m. to 12:00 a.m.; November 21, 2020 from 8:00 a.m. to 12:00 a.m.; December 12, 2020 from 8:00 a.m. to 12:00 a.m.; and December 19, 2020 from 8:00 a.m. to 12:00 a.m.

20R-449 McKinney's Irish Pub SDL 10-19-20 app.pdf

20R-449 McKinney's Irish Pub SDL den.pdf

SDL #130 - McKinney's Football SDLpdf.pdf

McKinney's Football Special Event.pdf

4.e. 20R-450

Application of Fast Taco, LLC dba Tipsy Tina's Taco Cantina for a special designated license to cover an outdoor area measuring approximately 25 feet x 100 feet at 800 Q Street on October 31, 2020 from 8:00 a.m. to 12:00 a.m.; November 14, 2020 from 8:00 a.m. to 12:00 a.m.; November 21, 2020 from 8:00 a.m. to 12:00 a.m.; December 12, 2020 from 8:00 a.m. to 12:00 a.m.; and December 19, 2020 from 8:00 a.m. to 12:00 a.m.

20R-450 Tipsy Tina's SDL 10-19-20 app.pdf

20R-450 Tipsy Tina's SDL den.pdf

SDL #131 - Tipsy Tina's.pdf Football SDL.pdf

Special Event App - Tipsy Tina's.pdf

4.f. 20R-451

Application of Benchmark Redevelopment Inc. dba Buzzard Billy's Armadillo Bar/Grill for a special designated license to cover an outdoor area measuring approximately 300 feet x 43 feet on 8th Street between P Street and Q Street on October 31, 2020 from 8:00 a.m. to 12:00 a.m.; November 14, 2020 from 8:00 a.m. to 12:00 a.m.; and November 21, 2020 from 8:00 a.m. to 12:00 a.m.

20R-451 Buzzard Billy's SDL 10-19-20 app.pdf

20R-451 Buzzard Billy's SDL den.pdf

SDL #132- Buzzard Billy's.pdf

Special Event App - Buzzard Billy's.pdf

4.g. 20R-452

Application of Brewskys Food & Spirits Haymarket dba Brewsky's Food & Spirits for a special designated license to cover an outdoor area measuring 300 feet x 43 feet on 8th Street between P Street and Q Street on October 31, 2020 from 8:00 a.m. to 12:00 a.m.; November 14, 2020 from 8:00 a.m. to 12:00 a.m.; and November 21, 2020 from 8:00 a.m. to 12:00 a.m.

20R-452 Brewskys SDL 10-19-20 app.pdf

20R-452 Brewskys SDL den.pdf

SDL # 133 - Brewsky's.pdf

Special Event App - Brewsky's.pdf

4.h. 20R-453

Application of Kill Screen Inc. dba VS Arcade Bar for a special designated license to cover an outdoor area measuring approximately 300 feet x 43 feet on 8th Street between P Street and Q Street on October 31, 2020 from 8:00 a.m. to 12:00 a.m.; November 14, 2020 from 8:00 a.m. to 12:00 a.m.; and November 21, 2020 from 8:00 a.m. to 12:00 a.m.

20R-453 VS Arcade Bar SDL 10-19-20 app.pdf

20R-453 VS Arcade Bar SDL den.pdf

SDL #134 - VS Arcade.pdf

Special Event App - VS Arcade.pdf

4.i. 20R-454

Application of Lazlo Inc. dba Lazlo's Brewery & Grill - Haymarket for a special designated license to cover an outdoor area measuring approximately 92 feet X 23 feet at 210 North 7th Street on October 31, 2020 from 11:00 a.m. to 11:00 p.m.

20R-454 Lazlo SDL 10-19-20 app.pdf

20R-454 Lazlo SDL den.pdf

SDL #135 - Lazlo's.pdf

Special Event App - Lazlo's.pdf

- VOTE ON LIQUORS -

5. PUBLIC HEARING - RESOLUTIONS

5.a. 20R-410

Accepting and approving the report of new and pending claims against the City for September 16 through 30, 2020.

20R-410 Resolution.pdf

20R-410 Claims Report.pdf

- VOTE ON RESOLUTIONS -

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

6.a. 20-235

Street and Alley Vacation 20003, request of Nature's Variety, Inc., to vacate all of West View Avenue from the west right-of-way line of Southwest 32nd Street westward, on property generally located at 235 SW 32nd Street.

20-235 Ordinance.pdf

SAV20003 - SUMMARY REPORT.pdf

6.b. 20-236

Annexation 20009 - Application of Lincoln Federal Bancorp, Inc., to annex approximately 61 acres of property generally located at the Northwest corner of South 40th Street and Rokeby Road. (Related: 20-236, 20-237, 20R-411)

20-236 Ordinance.pdf

AN20009 - SUMMARY REPORT.pdf

6.c. 20-237

Change of Zone 20017 - Application of Lincoln Federal Bancorp, Inc., from AG Agricultural District to R-3 PUD Residential District Planned Unit Development for up to 506 dwelling units and 120,000 square feet of commercial floor area, with associated adjustments, on property generally located at the northwest corner of South 40th Street and Rokeby Road. (Related: 20-236, 20-237, 20R-411)

20-237 Ordinance.pdf

CZ20017 - SUMMARY REPORT.pdf

6.d. 20R-411

Approving the Amendment No. 1 to Settlement Agreement between the City, Lincoln Federal Bancorp, Inc., Wilderness Commons, LLC, and Lower Platte South Natural Resources District to relocate crossings and trails between South 27th and South 40th Streets. (Related: 20-236, 20-237, 20R-411)

20R-411 Resolution.pdf

20R-411 Attachment A(2).pdf

- END PUBLIC HEARING -

7. ORDINANCES - 3RD READING & RELATED RESOLUTIONS

7.a. 20-226

Approving a Second Amendment to Lease Agreement between the City and Experian for the lease of approximately 30,000 square feet of office space in the building located at 949 West Bond Street for a period of six months with the option to renew for additional six month terms not to exceed a total of five years.

20-226 Ordinance.pdf

20-226 Attachment A.pdf

7.b. 20-227

Change of Zone 2179K - Application of Community Action Partnership of Lancaster and Saunders Counties on behalf of 3 AP-52 & R, LLC for a change from I-2

Industrial Park District to H-2 Highway Business District on property generally located at 5201 R Street.

20-227 Ordinance.pdf

CZ2179K - SUMMARY REPORT.pdf

7.c. 20-228

Change of Zone 12018B - Application of Stallion Ventures, LLC, to amend the Holdrege/Idylwild Redevelopment Planned Unit Development by adding fraternities and sororities as a Group Living Use and allowing signage per the B-1 zoning requirements, on property generally located at 3535 Holdrege Street.

20-228 Ordinance.pdf

CZ12018B - SUMMARY REPORT.pdf

7.d. 20-232

Approving Amendment No. 1 to Real Estate Purchase Agreement between the City and TNNG Capital, LLC for property located at the Northeast corner of 27th & Old Cheney Road. (Related items: 20-232, 20-229, 20R-401)

20-232 Ordinance.pdf

20-232 Attachment.pdf

7.e. 20-229

Change of Zone 20026 - Application of TNNG Capital, LLC, for a change from P Public Use District to O-3 Office Park District, on property generally located at 5600 South 27th Street. (Related Items: 20-232, 20-229, 20R-401)

20-229 Ordinance.pdf

20-229 Attachment A.pdf

CZ20026 - SUMMARY REPORT.pdf

7.f. 20R-401

Use Permit 20010 - Application of TNNG Capital, LLC, to allow for a health care facility, with associated waivers to reduce the side yard setback, front yard setback, and reduce required parking, on property generally located at 5600 South 27th Street. (Related Items: 20-232, 20-229, 20R-401)

20R-401 Resolution.pdf

UP20010 - SUMMARY REPORT.pdf

7.g. 20-230

Amending Chapter 10.14 of the Lincoln Municipal Code relating to Rules of the Road by amending Section 10.14.250 Speed Regulated; by repealing Section 10.14.260 Arterials Adjacent to Schools; Reduced Speed in its entirety; and by amending Section 10.14.265 Passing in School Crossing Zone; Penalties to remain consistent with school zone standards; and repealing Sections 10.14.250 and 10.14.265 as hitherto existing. (Related Items: 20-230, 20-231)

20-230 Ordinance.pdf

7.h. 20-231

Amending Section 10.02.315 of the Lincoln Municipal Code relating to School Crossing Zone to remain consistent with school zone standards; and repealing Section 10.02.315 as hitherto existing. (Related Items: 20-230, 20-231) 20-231 Ordinance.pdf

8. RESOLUTIONS - 1ST READING

8.a. 20R-424

Appointing Patty Nguyen and Erin Chambers to the Community Forestry Advisory Board for terms to expire August 14, 2023. 20R-424 Resolution.pdf

8.b. 20R-425

Appointing Fatma Saoy to the Lincoln Housing Authority Board for a term to expire July 1, 2025.

20R-425 Resolution.pdf Fatma Saoy.pdf

8.c. 20R-426

Approving a multi-year contract between the City of Lincoln, Lancaster County, Lincoln-Lancaster County Public Building Commission, and Murphy Tractor & Equipment Company for annual services equipment and accessory rental. Bid 20-191. (Consent)

20R-426 Resolution.pdf 20R-426 Attachment.pdf

20-191 Bidding documents.pdf

8.d. 20R-427

Approving KHE, LLC dba The Upside Lounge as a keno satellite located at 2801 Pine Lake Rd, Suite H. (Consent)
20R-427 Resolution.pdf

8.e. 20R-428

Approving an On-Call Professional Services Task Order Agreement between the City and Felsburg Holt & Ullevig to provide preliminary engineering service for the Cotner Blvd & Adams Street Intersection Traffic Signal Project. (Consent) 20R-428 Resolution.pdf

20r-428 Attachment.pdf

8.f. 20R-429

Approving an On-Call Professional Services Task Order Agreement between the City and Felsburg Holt & Ullevig for the use of Federal Transportation Program funds to provide NEPA services for the Cotner Blvd and Adams Street Signal Replacement Project. (Consent)

20R-429 Resolution.pdf 20R-429 Attachment.pdf

8.g. 20R-430

Approving the quote for three years between the City of Lincoln and Logic, Inc. for Aveva Flex subscription and the associated CustomerFirst agreement terms and conditions for software technical support, software upgrades and licensing requirements to be used by LTU-Wastewater Division. (Consent)

20R-430 Resolution.pdf 20R-430 Attachment.pdf

8.h. 20R-431

Approving an Interlocal Agreement between the City of Lincoln and Lincoln Public Schools for Residential Recyclables Collection Site.

20R-431Resolution.pdf 20R-431 Attachment.pdf

8.i. 20R-432

Use Permit 132D - Application of Whitehead Oil Company, for an adjustment to the maximum height to 100 feet for a flagpole, on property generally located at Highway 2 and Pine Lake Road.

20R-432 Resolution.pdf UP132D - SUMMARY REPORT.pdf

8.j. 20R-433

Use Permit 20013 - Application of Ryan Tarnick, to allow for approximately 3,500 square feet of commercial floor area, with a waiver request to adjust the side yard setback to 10 feet for parking, on property generally located at 6016 South 87th Street.

20R-433 Resolution.pdf UP20013 - SUMMARY REPORT.pdf

8.k. 20R-434

Accepting and approving the report of new and pending claims against the City for October 1 through 15, 2020.

20R-434 Resolution.pdf 20R-434 Claims Report.pdf

8.1. 20R-435

Approving a Professional Services Agreement Supplemental No. 1 between the City and Felsburg Holt & Ullevig for Lincoln Beal Slough Trail. (Consent)

20R-435 Resolution.pdf 20R-435 Attachment.pdf

8.m. 20R-436

Approving a Professional Services Agreement Supplemental No. 2 between the City and JEO Consulting Group, Inc., for Lincoln Beal Slough Trail. (Consent)

20R-436 Resolution.pdf

20R-436 Attachment.pdf

8.n. 20R-437

Amending Ordinance No. 20989 suspending portions of Chapter 5.04 of the Lincoln Municipal Code, during the current emergency, to allow the City Council to delegate it's authority to revoke or deny a Special Designated Liquor License to the Mayor and/or her designee.

20R-437 Resolution.pdf

9. ORDINANCES - 1ST READING & RELATED RESOLUTIONS

9.a. 20-238

Text Amendment 20006 - Application of Planning Director to amend Lincoln Municipal Code Sections 27.02.020, 27.02.210, 27.06.080, 27.28.020, 27.62.050, and 27.67.040 to provide a definition and conditional zoning regulations for Transitional Living Facilities that will replace the regulations for alternative to imprisonment facilities; by repealing Section 27.63.750 to remove special permits for alternative to imprisonment facilities; and repealing Sections 27.02.020, 27.02.210, 27.06.080, 27.28.020, 27.62.050, and 27.67.040 as hitherto existing. 20-238 Ordinance (TX20006).pdf TX20006 - SUMMARY REPORT.pdf

9.b. 20-239

An ordinance amending Chapter 5.38 of the Lincoln Municipal Code relating to Motels, Hotels, Rooming, Lodging, and Apartment Houses by amending Sections 5.38.010, 5.38.015, 5.38.016, 5.38.020, 5.38.030, 5.38.040, 5.38.045, 5.38.050, and 5.38.055 to add a definition of transitional living facilities and to create permit and inspection requirements for transitional living facilities; and repealing Sections 5.38.010, 5.38.015, 5.38.016, 5.38.020. 5.38.030. 5.38.040, 5.38.045. 5.38.050, and 5.38.055 of the Lincoln Municipal Code as hitherto existing. 20-239 Ordinance.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

10.d. 20R-245

Appeals by Nancy Selzer, et al., (24 appeals submitted) of the Planning Commission's conditional approval of Special Permit 20013 to allow for a Community Unit Plan (CUP) with associated waivers to setbacks, lot area, block length, and the sanitary sewer design standards on property generally located at South 46th and Hillside Streets. (7/20/20 - Action delayed one week to 7/27/20) (7/27/20 - Action delayed 2 weeks to 08/10/20) (8/10/20 - Action delayed one week to 8/17/20) (8/17/20 - Placed on Pending, No Date Certain)

20R-245 Resolution.pdf

SP20013 - APPEAL - 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 October, open microphone sessions will be held on October 19 & October 26, 2020.

ADJOURNMENT

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.

The City Council Agenda and Action Sheet may be accessed on the Internet at: lincoln.ne.gov

<u>ACCOMMODATION NOTICE</u>
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.