

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, JUNE 16, 2014 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Emery; Council Members: Camp, Christensen, Cook, Eskridge, Gaylor Baird; City Clerk, Teresa J. Meier, Absent: Fellers.

Council Chair Emery announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

GAYLOR BAIRD Having been appointed to read the minutes of the City Council proceedings of June 9, 2014, reported having done so, found same correct.

Seconded by Camp and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

PUBLIC HEARING

APPLICATION OF EIGER CORP. DBA PRAIRIE LAKE MOBIL TO EXPAND ITS CLASS D LIQUOR LICENSE FOR A NEW LICENSED AREA DESCRIBED AS AN IRREGULAR SHAPED ONE STORY BUILDING APPROXIMATELY 120 FEET BY 44 FEET LOCATED AT 8600 AMBER HILL COURT - Stan Mills, General Manager for Prairie Lake Mobil, 8600 Amber Hill Court, came forward to take the oath and answer questions. This is space has been leased out since the building opened. The partition wall will be removed to expand the convenience store and a kitchen and café area may eventually be added.

This matter was taken under advisement.

MANAGER APPLICATION OF GREG A. FRIESEN FOR MY PIEZANOS, LLC DBA PIEZANO'S AT 2740 SOUTH STREET - Greg Friesen, owner of Piezano's, 2740 South St., came forward to take the oath and answer questions. This application is to remove the name of a former owner from the license.

This matter was taken under advisement.

MANAGER APPLICATION OF ELIZABETH NORRIS FOR DHABS, LLC DBA BARRYMORE'S AT 124 NORTH 13TH STREET - Elizabeth Norris, 124 N. 13th St., came forward to take the oath and answer questions. She stated will complete the manager level training by the end of May.

This matter was taken under advisement.

MANAGER APPLICATION OF SUSANTHA D. WEERASINGHE FOR SWIG, LLC DBA 9 SOUTH CHARGRILL AT 844 SOUTH STREET - Susantha Weerasingha, 844 South St., came forward to take the oath and answer questions. He stated that he is taking over as general manager.

This matter was taken under advisement.

APPLICATION OF SMG FOOD & BEVERAGE, LLC DBA PINNACLE BANK ARENA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 13,000 SQUARE FEET AT THE STADIUM TERRACE OF PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON OCTOBER 1 AND OCTOBER 9, 2014 FROM 10:00 A.M. TO 2:00 A.M. - Tom Lorenz, General Manager of SMG Lincoln, came forward to state this is to cover the stadium terrace area on northwest corner during pre-concert events.

This matter was taken under advisement.

APPLICATION OF ZOO BLUES, INC. DBA ZOO BAR FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 423 FEET BY 264 IN 14TH STREET BETWEEN O AND P STREET INCLUDING LOWER PARKING LOT ON JULY 11 AND JULY 12, 2014 FROM 12:00 P.M. TO 1:00 A.M. - Doug McLeese, 2600 Jane Ln., came forward on behalf of the Zoo Bar owners who were unable to attend today's meeting to answer questions about the annual Zoo Festival.

This matter was taken under advisement.

APPLICATION OF FAMOUS DAVE'S RIBS-U, INC. DBA FAMOUS DAVE'S FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 240 FEET BY 260 FEET IN THE PARKING LOT 2910 PINE LAKE ROAD ON JUNE 28, 2014 FROM 4:00 P.M. TO 10:30 P.M. - Charles LaCogne, General Manager of Famous Dave's, 3645 L St., came forward to answer questions about this annual fundraiser for Make-a-Wish Foundation.

This matter was taken under advisement.

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COMP. PLAN CONFORMANCE 13020 - DECLARING APPROXIMATELY 9.37 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 84TH STREET AND SOUTH STREET AS SURPLUS PROPERTY. (RELATED ITEMS: 14-66, 14-65, 14-67, 14R-161);

APPROVING A REAL ESTATE SALES AGREEMENT FOR THE SALE OF APPROXIMATELY 9.37 ACRES OF SURPLUS PROPERTY GENERALLY LOCATED AT 2201 S. 84TH STREET TO THE LINCOLN HOUSING AUTHORITY. (RELATED ITEMS: 14-66, 14-65, 14-67, 14R-161);

CHANGE OF ZONE 14012 - APPLICATION OF THE LINCOLN HOUSING AUTHORITY FOR A CHANGE OF ZONE FROM R-1 RESIDENTIAL DISTRICT AND P PUBLIC USE DISTRICT TO R-3 RESIDENTIAL DISTRICT AND FROM R-1 RESIDENTIAL DISTRICT TO P PUBLIC USE DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 84TH STREET AND SOUTH STREET. (RELATED ITEMS: 14-66, 14-65, 14-67, 14R-161);

SPECIAL PERMIT 14009 - APPLICATION OF LINCOLN HOUSING AUTHORITY TO DEVELOP THE LINCOLN HOUSING AUTHORITY 84TH STREET SITE COMMUNITY UNIT PLAN FOR 72 DWELLING UNITS, WITH A REQUESTED WAIVER TO ALLOW MORE THAN 40 DWELLING UNITS ON A DEAD END STREET, ON PROPERTY GENERALLY LOCATED AT SOUTH 84TH STREET AND SOUTH STREET. (RELATED ITEMS: 14-66, 14-65, 14-67, 14R-161) (ACTION DATE 6/23/14) - David Landis, Director of Urban Development, came forward to state these items include the sale of nine acres of City owned property for full appraisal value to the Lincoln Housing Authority (LHA). The development includes some mixed market use and low-income housing. There are unmet needs for this type of housing in our community; many families live in overcrowded conditions or pay more than fifty percent of their monthly income on housing and it is important that they are built throughout the community and not just near the core. Terms were negotiated and are acceptable to the City. The project meets a social justice need and meets the City's interest in parting with unused land and getting fair market value. Discussion followed.

Tom Huston, 233 S. 13th St., Ste. 1900, on behalf of LHA, to state that these items should move through the process as a package. The plan includes eighty multi-family units, designed to fit this unusual site. The LHA has demonstrated that they design and maintain award winning properties that provide huge improvement and benefit neighborhoods within City. One area of contention is whether the plan will function effectively with single driveway access, but there are other similar examples throughout the City with only one access point. LHA restricts and monitors compliance with low income housing guidelines. Discussion followed.

Mark Hunzeker, Baylor Evnen, 1248 O St., Ste. 600, came forward on behalf of Ken Hake, owner of 8300 and 8308 Karl Ridge Road, to state his client is not opposed to the development, the change of zone or the apartments. They ask that the City follow its own rules regarding access. There has been ample time for this site to be brought up to existing standards. It is not appropriate to waive the standards now, at the point of potential sale. Examples of other similar site with single access points were built many years ago, prior to requirements for certain standards. There is room on this site for other potential access points as well as changes that may occur to the site in the future, with changes made to the City owned fire station. There were also other offers made for this site. Discussion followed.

Kent Seacrest, Seacrest & Kalkowski, 1111 Lincoln Mall, came forward representing Somerset Apartments, which contains 192 units. He stated his clients are also not opposed to this project as a whole. The challenge is regarding the number of access points, and traffic congestion and safety. This problem will impact public safety for current and future residents. There are also other unique safety concerns at this site, including a water tank, a high pressure gas line, and a significant electrical line running over the road. It is important to have adequate access for emergency vehicles, and it is also equally important for residents to be able to get out in case of an emergency.

Barb Biffle, 8111 Lillibridge St., came forward to state that residents know that this area is likely to be developed eventually, but there are unique problems with it and the potential hazards make it undesirable.

Jim Fedde, 2420 Devoe Dr., came forward speaking on behalf of Trendwood residents, many of whom signed a petition opposing the zoning change and special permit due to safety concerns. The problems with traffic cannot be overstated and parking is terrible, even now. There is an eight to ten foot tall fence surrounding the water tower, which would limit the potential for additional pedestrian access.

Eileen Warner, 2110 Devoe Dr., came forward and asked all neighbors in attendance at today's meeting to stand to make their numbers known. This project does not meet existing requirements and does not blend in to the neighborhood. There are no employment opportunities or schools near the area, and public transit is limited. Planning recommended that a study be done to show current conditions in this area. There is no way to know what impact this project will actually have.

Nathan Warner, 2110 Devoe Dr., came forward to state that he is not opposed to development, but this project does not fit this site, and the requested changes and waivers demonstrate that clearly. It is possible that in the near future, conditions in the area will change and that a more advantageous sale could occur at that time. Discussion followed.

Miki Esposito, Director of Public Works, came forward to state that there is no traffic data for Karl Ridge Road at this time since it has not met the threshold requirement. Public Works does have several concerns about existing City operations where full access for trucks and staff must remain in place. This water tower is also considered a critical resource and \$86,000 has been spent on site safety. There is also a steep grade. An access road would be costly, and would likely be the responsibility of the developer.

Bob Simmering, Public Works Department, came forward to discuss the question of increased traffic volume. It is not commonly understood that single family developments generate more traffic trips than multi-family developments. 84th Street is part of the national highway system so the Department of Roads would be involved. They stated that they would apply the most restrictive requirements of City Access Policy to any changes made. Even with access introduced at a different point, traffic would still end up at the Karl Ridge intersection. Discussion followed.

Randy Hoskins, Public Works Department, came forward to answer Council questions regarding possible alternate solutions to traffic and pedestrian access.

David Landis returned for rebuttal to state that all requirements for this land sale were met. Discussion followed.

Randy Hoskins returned to state that traffic volumes currently fall short for a traffic signal, and probably would not reach the threshold needed, even with increased development. It is also possible that a signal would draw more traffic to an intersection, thus replicating the existing problem. Discussion followed.

Marvin Krout, Director of Planning, came forward to answer Council questions. He stated this site is extremely unique and perhaps it was not explained in enough detail to the Planning Commission before they issued their denial that there are many examples of access through a single driveway for apartment complexes; it just happens that this is a stub street right-of-way instead of a driveway. Discussion followed.

This matter was taken under advisement.

APPROVING A REAL ESTATE PURCHASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE UNIVERSITY OF NEBRASKA FOR THE SALE OF SURPLUS PROPERTY GENERALLY LOCATED SOUTH OF V STREET BETWEEN NORTH 4TH STREET AND NORTH 6TH STREET FOR THE BRESLOW ICE CENTER. (RELATED ITEMS: 14-68, 14R-163);

APPROVING AN OPERATIONS AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE UNIVERSITY OF NEBRASKA FOR THE CONSTRUCTION AND OPERATION OF THE BRESLOW ICE HOCKEY CENTER AND OTHER RELATED FACILITIES ON PROPERTY GENERALLY LOCATED SOUTH OF V STREET BETWEEN NORTH 4TH STREET AND NORTH 6TH STREET. (RELATED ITEMS: 14-68, 14R-163) (ACTION DATE: 6/23/14) - Jocelyn Golden, Law Department, came forward to state this area was declared surplus this spring. The City and UNL have been negotiating the details of the arrangement. The City is essentially contributing \$800,000 for the land and \$200,000 in site preparation. Discussion followed.

Christine Jackson, UNL's Vice Chancellor for Business and Finance, 307 Canfield, came forward to state that the University is pleased to utilize Mr. Breslow's original generous gift along with others to create this much needed recreational facility. This is a fifteen year agreement during which time fifty percent of available prime hours will be available for community rentals. University and City officials will meet regularly to assess use and financial performance. In answer to Council questions, she stated that after a four year period, an evaluation will be made as to whether a second sheet of ice is feasible. Even though the contract period is only fifteen years, UNL views this as a long term partnership.

Jocelyn Golden returned to answer Council questions. She stated that it was Mr. Breslow's wish to have this facility be a community ice center. The City wanted to encourage this project, but did not want to be involved in the operations or maintenance. Discussion followed.

Ms. Jackson stated that UNL is taking on the risk of operations. Should an operating deficit occur, the City is responsible for any portion up to \$40,000 annually, but after five years, UNL assumes full financial responsibility. Discussion followed.

Brian Reid, 3055 Sheridan Blvd., came forward to state that for a capital investment, this is a modest amount. The hockey community is in great need of better ice in Lincoln and many commute to other facilities now. Ice rental during peak hours can exceed \$200. The entire community will benefit from this project. Discussion followed.

Nancy Harris, Ice Skating Club of Lincoln, came forward in favor of this project and she stated that many skaters train year round, so there is great need.

Stan Meredith, architect with DLR Group, came forward to state that an immense amount of study and negotiation went into selecting this site. This is a great opportunity. Discussion followed.

Dave Ciavarella, DLR Group, came forward to answer questions about the potential addition of a second sheet of ice in the future and stated that the current design keeps that future possibility in mind.

Jake Candler, owner of Hat Trick Hockey Shop, 2432 N. 12 St., came forward to state that the addition of an ice rink will be great for local business. The ice community has grown tremendously, so much so that there is a local demand for his proshop. Discussion followed.

Jane Kinsey, Watchdogs of Lincoln, came forward to state the City and citizens of Lincoln need to differentiate between wants and needs. There are other more serious financial issues to focus on, such as the pension fund, Antelope Valley, and utilities. The City is losing money in this arrangement and any profits are pure conjecture. It is a good project, but more options should be investigated so that tax payers are not at risk. This is not sound stewardship of public funds.

Jocelyn Golden returned to state the operations agreement is a resolution and the real estate purchase agreement is an ordinance, as required by City Charter.

This matter was taken under advisement.

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APPROVING THE SPEEDWAY SPORTING VILLAGE REDEVELOPMENT AGREEMENT BETWEEN B & J PARTNERSHIP, LTD AND THE CITY OF LINCOLN RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED IN THE VICINITY OF WEST VAN DORN ON THE NORTH, PARK BOULEVARD ON THE WEST, BURLINGTON NORTHERN SANTA FE RAILROAD TRACKS ON THE EAST, AND APPROXIMATELY CALVERT STREET ON THE SOUTH. (RELATED ITEMS: 14R-158, 14R-159);

AMENDING THE FY 13/14 CIP TO AUTHORIZE AND APPROPRIATE \$4,700,000 IN TIF FUNDS FOR THE SPEEDWAY SPORTING VILLAGE REDEVELOPMENT PROJECT ON PROPERTY GENERALLY LOCATED IN THE VICINITY OF WEST VAN DORN ON THE NORTH, PARK BOULEVARD ON THE WEST, BURLINGTON NORTHERN SANTA FE RAILROAD TRACKS ON THE EAST, AND APPROXIMATELY CALVERT STREET ON THE SOUTH. (RELATED ITEMS: 14R-158, 14R-159) - David Landis, Director of Urban Development, came forward to state the Sporting Village will have ten soccer fields, one champion field, parking, a trail connection, an out building, and basketball and volleyball courts. The project will also include street construction, lights, sidewalks, energy enhancements and other infrastructure projects.

Mark Hunzeker, Baylor Evnen, 1248 O St., Ste. 600, came forward representing Speedway Sporting Village to state this is a very exciting project. Phase Two, set out in the agreement, includes retail buildings north of the basketball area.

Andrew Ferguson, 710 Hill St., came forward to thank everyone involved in this entertainment village. The focus will be on sports, the trails, and it will be a great place for kids to spend time.

This matter was taken under advisement.

USE PERMIT 57E - APPLICATION OF RYAN CARSON TO AMEND THE PREVIOUSLY APPROVED LINCOLN CROSSING USE PERMIT TO REMOVE THE THEATER AND TO ALLOW A HOTEL AND OTHER COMMERCIAL PAD SITES, INCLUDING A WAIVER TO INCREASE THE MAXIMUM HEIGHT, ON PROPERTY GENERALLY LOCATED AT NORTH 27TH STREET AND FOLKWAYS BOULEVARD - Brad Marshall, Olsson Associates, 1111 Lincoln Mall, came forward representing Northridge Construction, to state that a four story hotel with a facade that will protrude above the roof line will be built at this location and it requires a waiver to increase the maximum height. Planning supports the site plan and Building and Safety agreed this is the best way to accomplish this. Discussion followed.

This matter was taken under advisement.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF MAY 16 - 31, 2014 - Jeff Kirkpatrick, City Attorney, was on hand to answer questions.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON JUNE 2, 2014 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(27-1)**

LINCOLN WATER SYSTEM FACILITIES MASTER PLAN - CLERK presented said report which was placed on file in the Office of the City Clerk.

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, JUNE 30, 2014 AT 5:30 P.M. FOR THE APPLICATION OF CASHNOBB FOOD, LLC DBA SAM & LOUIE'S NEW YORK PIZZERIA FOR A CLASS I LIQUOR LICENSE LOCATED AT 1501 PINE LAKE ROAD, SUITE 10 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88326 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, June 30, 2014, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th Street, Lincoln, NE for the application of Cashnobb Food, LLC dba Sam & Louie's New York Pizzeria for a Class I liquor license located at 1501 Pine Lake Road, Suite 10.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Leirion Gaylor Baird

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Barid; NAYS: None; ABSENT: Fellers.

LIQUOR RESOLUTIONS

APPLICATION OF EIGER CORP. DBA PRAIRIE LAKE MOBIL TO EXPAND ITS CLASS D LIQUOR LICENSE FOR A NEW LICENSED AREA DESCRIBED AS AN IRREGULAR SHAPED ONE STORY BUILDING APPROXIMATELY 120 FEET BY 44 FEET LOCATED AT 8600 AMBER HILL COURT - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88327 That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Eiger Corp. dba Prairie Lake Mobil to expand its licensed premises for a new licensed area described as an irregular shaped one story building approximately 120 feet by 44 feet located at 8600 Amber Hill Court, be approved with the condition that the premises complies in every respect with all City and State regulations, specifically the Smoking Regulation Act and the Nebraska Clean Indoor Air Act.

BE IT FURTHER RESOLVED that the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

MANAGER APPLICATION OF GREG A. FRIESEN FOR MY PIEZANOS, LLC DBA PIEZANO'S AT 2740 SOUTH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88328 WHEREAS, My Piesanos LLC dba Piezano's located at 8600 Amber Hill Court, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Greg A. Friesen be named manager;

WHEREAS, Greg A. Friesen appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Greg A. Friesen be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

MANAGER APPLICATION OF ELIZABETH NORRIS FOR DHABS, LLC DBA BARRYMORE'S AT 124 NORTH 13TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88329 WHEREAS, DHABS, LLC dba Barrymore's located at 124 North 13th Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Elizabeth Norris be named manager;

WHEREAS, Elizabeth Norris appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Elizabeth Norris be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

MANAGER APPLICATION OF SUSANTHA D. WEERASINGHE FOR SWIG, LLC DBA 9 SOUTH CHARGRILL AT 844 SOUTH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88330 WHEREAS, Swig LLC dba 9 South Chargrill located at 844 South Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Susantha D. Weerasinghe be named manager;

WHEREAS, Susantha D. Weerasinghe appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Susantha D. Weerasinghe be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

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APPLICATION OF SMG FOOD & BEVERAGE, LLC DBA PINNACLE BANK ARENA FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 13,000 SQUARE FEET AT THE STADIUM TERRACE OF PINNACLE BANK ARENA AT 400 PINNACLE ARENA DRIVE ON OCTOBER 1 AND OCTOBER 9, 2014 FROM 10:00 A.M. TO 2:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88331 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of SMG Food & Beverage, LLC dba Pinnacle Bank Arena for a Special Designated License to cover an area measuring approximately 13,000 sq. ft. at the Stadium Terrace of Pinnacle Bank Arena at 400 Pinnacle Arena Drive, Lincoln, Nebraska, on October 1 and 9, 2014, between the hours of 10:00 a.m. and 2:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

APPLICATION OF ZOO BLUES, INC. DBA ZOO BAR FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 423 FEET BY 264 IN 14TH STREET BETWEEN O AND P STREET INCLUDING LOWER PARKING LOT ON JULY 11 AND JULY 12, 2014 FROM 12:00 P.M. TO 1:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88332 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Blue Blood Brewing Co., Inc. for a Special Designated License to cover an area measuring approximately 423 feet by 264 feet in 14th Street between O and P Streets, including the lower parking lot, Lincoln, Nebraska, on July 11 and 12, 2014, between the hours of 12:00 p.m. and 1:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

APPLICATION OF FAMOUS DAVE'S RIBS-U, INC. DBA FAMOUS DAVE'S FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 240 FEET BY 260 FEET IN THE PARKING LOT 2910 PINE LAKE ROAD ON JUNE 28, 2014 FROM 4:00 P.M. TO 10:30 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88333 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Famous Dave's Ribs-U Inc. dba Famous Dave's for a Special Designated License to cover an area measuring approximately 240 feet by 260 feet in the parking lot to the east of Famous Dave's at 2910 Pine Lake Road, Lincoln, Nebraska, on June 28, 2014, between the hours of 4:00 p.m. and 10:30 p.m., be approved with the condition that the premise complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.

4. Responsible alcohol service practices shall be followed.
5. Adequate parking is to be provided for customer parking.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required)

COMP. PLAN CONFORMANCE 13020 - DECLARING APPROXIMATELY 9.37 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 84TH STREET AND SOUTH STREET AS SURPLUS PROPERTY. (RELATED ITEMS: 14-66, 14-65, 14-67, 14R-161) - CLERK read an ordinance, introduced by Carl Eskridge, declaring approximately 9.37 acres of city owned property generally located at S. 84th St. and South St. as surplus, the second time.

APPROVING A REAL ESTATE SALES AGREEMENT FOR THE SALE OF APPROXIMATELY 9.37 ACRES OF SURPLUS PROPERTY GENERALLY LOCATED AT 2201 S. 84TH STREET TO THE LINCOLN HOUSING AUTHORITY. (RELATED ITEMS: 14-66, 14-65, 14-67, 14R-161) - CLERK read an ordinance, introduced by Carl Eskridge, approving a Real Estate Purchase Agreement for the sale of a portion of Lot 51, Irregular Tract, located in Section 34, Township 10 North, Range 7 East of the 6th P.M., to The Housing Authority of the City of Lincoln. Said portion of Lot 51 I.T. is described as Parcel 2 and more particularly described & depicted on Exhibit A attached to the Real Estate Purchase Agreement, the second time.

CHANGE OF ZONE 14012 - APPLICATION OF THE LINCOLN HOUSING AUTHORITY FOR A CHANGE OF ZONE FROM R-1 RESIDENTIAL DISTRICT AND P PUBLIC USE DISTRICT TO R-3 RESIDENTIAL DISTRICT AND FROM R-1 RESIDENTIAL DISTRICT TO P PUBLIC USE DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 84TH STREET AND SOUTH STREET. (RELATED ITEMS: 14-66, 14-65, 14-67, 14R-161) - CLERK read an ordinance, introduced by Carl Eskridge, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

SPECIAL PERMIT 14009 - APPLICATION OF LINCOLN HOUSING AUTHORITY TO DEVELOP THE LINCOLN HOUSING AUTHORITY 84TH STREET SITE COMMUNITY UNIT PLAN FOR 72 DWELLING UNITS, WITH A REQUESTED WAIVER TO ALLOW MORE THAN 40 DWELLING UNITS ON A DEAD END STREET, ON PROPERTY GENERALLY LOCATED AT SOUTH 84TH STREET AND SOUTH STREET. (RELATED ITEMS: 14-66, 14-65, 14-67, 14R-161) (ACTION DATE 6/23/14)

APPROVING A REAL ESTATE PURCHASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE UNIVERSITY OF NEBRASKA FOR THE SALE OF SURPLUS PROPERTY GENERALLY LOCATED SOUTH OF V STREET BETWEEN NORTH 4TH STREET AND NORTH 6TH STREET FOR THE BRESLOW ICE CENTER. (RELATED ITEMS: 14-68, 14R-163) - CLERK read an ordinance, introduced by Carl Eskridge, approving a Real Estate Purchase Agreement between the City of Lincoln and the University of Nebraska authorizing the sale of City owned property described as Lot 1, Block 1, West Haymarket Addition, Lincoln, Lancaster County, Nebraska, generally located south of V St. between N. 4th St. & N. 6th St., the second time.

APPROVING AN OPERATIONS AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE UNIVERSITY OF NEBRASKA FOR THE CONSTRUCTION AND OPERATION OF THE BRESLOW ICE HOCKEY CENTER AND OTHER RELATED FACILITIES ON PROPERTY GENERALLY LOCATED SOUTH OF V STREET BETWEEN NORTH 4TH STREET AND NORTH 6TH STREET. (RELATED ITEMS: 14-68, 14R-163) (ACTION DATE: 6/23/14)

PUBLIC HEARING - RESOLUTIONS

APPROVING THE SPEEDWAY SPORTING VILLAGE REDEVELOPMENT AGREEMENT BETWEEN B & J PARTNERSHIP, LTD AND THE CITY OF LINCOLN RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED IN THE VICINITY OF WEST VAN DORN ON THE NORTH, PARK BOULEVARD ON THE WEST, BURLINGTON NORTHERN SANTA FE RAILROAD TRACKS ON THE EAST, AND APPROXIMATELY CALVERT STREET ON THE SOUTH. (RELATED ITEMS: 14R-158, 14R-159) - PRIOR to reading:

CHRISTENSEN Moved to amend Bill No. 14R-158 by accepting the Redevelopment Agreement (Speedway Sporting Village) attached as Attachment "A".

Seconded by Camp and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

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CLERK Read the following resolution, introduced by Carl Eskridge, who moved its adoption as amended:
A-88334 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached City of Lincoln Redevelopment Agreement for the Speedway Sporting Village, between the City of Lincoln, Nebraska and B & J Partnership, Ltd. relating to the redevelopment of property generally located in the vicinity of West Van Dorn on the north, Park Boulevard on the west, Burlington Northern Santa Fe railroad right-of-way on the east, and approximately Calvert Street on the south and adjacent rights of way in the City of Lincoln, upon the terms and conditions set forth in said Redevelopment Agreement, which is attached hereto marked as Attachment "A", is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to transmit one fully executed original of said Agreement to Tim Sieh, Assistant City Attorney, for transmittal to the parties.

Introduced by Carl Eskridge

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

AMENDING THE FY 13/14 CIP TO AUTHORIZE AND APPROPRIATE \$4,700,000 IN TIF FUNDS FOR THE SPEEDWAY SPORTING VILLAGE REDEVELOPMENT PROJECT ON PROPERTY GENERALLY LOCATED IN THE VICINITY OF WEST VAN DORN ON THE NORTH, PARK BOULEVARD ON THE WEST, BURLINGTON NORTHERN SANTA FE RAILROAD TRACKS ON THE EAST, AND APPROXIMATELY CALVERT STREET ON THE SOUTH. (RELATED ITEMS: 14R-158, 14R-159) - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-88335 A Resolution amending the schedule of Capital Improvement Projects for the Fiscal Year beginning September 1, 2013 within the Capital Improvement Program adopted by and attached to Resolution No. A-86975 as Schedule 5 and amended by Resolution A-87532 to establish development of the Speedway Sporting Village Redevelopment Project, an approved project in the Van Dorn West Redevelopment Plan to install new water mains and sanitary sewer, to make improvements to stormwater drainage facilities in Speedway Circle, to make improvements to paving and lighting of Speedway Circle and Park Boulevard south of Van Dorn, to construct a trailhead for the Salt Creek Levee Trail, and to install public enhancements, as defined in the Speedway Sporting Village Redevelopment Agreement, as a capital improvement project within the adopted Capital Improvement Program for Fiscal Year 2013-14; and transferring and establishing appropriations for said Capital Improvement Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

1. That the implementation of the Van Dorn West Redevelopment Plan and Speedway Sporting Village Redevelopment Project, for installation of new water mains and sanitary sewer, improvements to stormwater drainage facilities in Speedway Circle, improvements to paving and lighting of Speedway Circle and Park Boulevard south of Van Dorn, construction of a trailhead for the Salt Creek Levee Trail, and installation of public enhancements as part of the redevelopment project within the Project Area, is hereby established and added to the Urban Development Department's list of Fiscal Year 2013-14 capital improvement projects within the Capital Improvement Program adopted by and attached to Resolution No. A-86975 as Schedule 5 as amended by Resolution A-87532.

2. That the City Council hereby appropriates and directs the Finance Director to make the necessary adjustments to the biennial budget to designate \$4,700,000 from Tax Increment Financing funds in Fiscal Year 2013-14 to be used toward development of the Speedway Sporting Village Redevelopment Project.

Introduced by Carl Eskridge

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

USE PERMIT 57E - APPLICATION OF RYAN CARSON TO AMEND THE PREVIOUSLY APPROVED LINCOLN CROSSING USE PERMIT TO REMOVE THE THEATER AND TO ALLOW A HOTEL AND OTHER COMMERCIAL PAD SITES, INCLUDING A WAIVER TO INCREASE THE MAXIMUM HEIGHT, ON PROPERTY GENERALLY LOCATED AT NORTH 27TH STREET AND FOLKWAYS BOULEVARD - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-88336 WHEREAS, Center Associates has submitted an application in accordance with Section 27.37.070 of the Lincoln Municipal Code designated as Use Permit No. 57E for authority to amend the Lincoln Crossing Use Permit to remove the theater and to allow a hotel and other commercial pad sites, with a request to increase the maximum height for the hotel on property generally located at North 27th Street and Folkways Boulevard, and legally described as follows:

Lots 3-10 and Outlot A, King Ridge Addition, Lots 4-7, and Outlots A and B, Lincoln Crossing Addition, Lots 1-9 and Outlot A, Lincoln Crossing 1st Addition, Lots 1 and 2, Lincoln Crossing 2nd Addition, Lots 1-3, Lincoln Crossing 3rd Addition, Lots 1 and 2, Lincoln Crossing 4th Addition, and Lot 47 I.T., located in the West Half of Section 6, Township 10 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska; and

WHEREAS, the real property adjacent to the area included within the site plan for removal of the theater and to allow a hotel and other commercial pad sites, including a waiver to the maximum height requirement, within this Use Permit will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the application of Center Associates, hereinafter referred to as "Permittee", to amend the Lincoln Crossing Use Permit to remove the theater and to allow a hotel and other commercial pad sites, including a waiver to the maximum height requirement be and the same is hereby granted under the provisions of Section 27.37.070 and Chapter 27.64 of the Lincoln Municipal Code upon condition that all construction be in substantial compliance with the application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves 872,769 square feet of floor area, 110 room hotel, and a waiver to increase the height of the hotel to 66 feet.
2. Before receiving building permits the Permittee shall:
 - a. Cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 5 copies with all required revisions and documents as listed below:
 - i. Change uses for all pad sites to commercial, except for the hotel.
 - ii. Show a building envelope for the hotel and new pad sites. Dimension the building envelope from the lot lines.
 - iii. Add the dimensions of the lots/building sites.
 - iv. Add a note that the site plan is conceptual and will be finalized at time of building permit without the need for an administrative amendment.
 - v. In the Building and Parking Stall Summary change Building U to 18,000 sq. ft. commercial and enter 81 under required stalls, 125 for actual stalls and 6.94 for ratio.
 - vi. In the Building and Parking Stall Summary show Building T as the hotel only. Add new building numbers for the each of the other buildings and change the use to commercial for all of the buildings.
 - vii. Show 8,000 sq. ft. as unassigned in the Building and Parking Stall Summary.
 - viii. Change the front yard setback along Folkways Blvd. to 20 feet. Delete the note 86' setback from centerline.
 - ix. Delete the note below the Building and Parking Stall Summary referring to parking for the theater.
 - x. Change the layout of Building "I" to match AA#10021.
 - b. Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the use permit has been recorded.
 - c. The construction plans substantially comply with the approved plans.
3. Before occupying the buildings all development and construction must be completed in conformance to the approved plans.
4. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
5. The terms, conditions, and requirements of this resolution shall run with the land and be binding on the Permittee, its successors, and assigns.
6. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the use permit. The City Clerk shall file a copy of the resolution approving the use permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building permits will not be issued unless the letter of acceptance has been filed.
7. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however the terms and conditions of all resolutions approving previous permits shall remain in force and effect except as specifically amended by this resolution.

Introduced by Carl Eskridge

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Eskridge, Gaylor Baird; NAYS: Emery; ABSENT: Fellers.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF MAY 16 - 31, 2014 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-88337

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the claims listed in the attached report, marked as Exhibit "A", dated June 2, 2014, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the

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Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED CLAIMS</u>		<u>ALLOWED/SETTLED CLAIMS</u>	
Kenneth Turner	NAS*	Charlie & Bonnie Huff	\$16,000.00
DeLos Pumel	\$1,000,000.00	Mary E. Earley	8,950.00
		Farmers Mutual of Nebraska	2,500.00
		Joyce Bumstead	7,000.00
		Toni Gordon	30,208.36
		Carlos Douglas	150.00
		Lincoln Family Funeral Care	57.58
		Dan Nickel	3,618.79
		American Family Insurance	
		a/s/o Angela & Mike Upah	4,464.28
		James L. Anderson	3,373.24

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Carl Eskridge

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

ORDINANCES - 3RD READING & RELATED RESOLUTIONS (as required)

VACATION NO. 06007- VACATING PINE RIDGE LANE IN THE PINE LAKE COMMUNITY UNIT PLAN GENERALLY LOCATED ON THE WEST SIDE OF WESTSHORE DRIVE, HALFWAY BETWEEN NORTHSHORE DRIVE AND EIGER DRIVE - CLERK read an ordinance, introduced by Jonathan Cook, vacating Pine Ridge Lane in the Pine Lake Community Unit Plan, generally located on the west side of Westshore Drive, halfway between Northshore Drive and Eiger Drive and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the third time.

COOK Moved to pass the ordinance as read.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

The ordinance, being numbered **#20033**, was recorded in Ordinance Book #209, Page .

ANNEXATION NO. 14002 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 10.4 ACRES GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF SOUTH 70TH STREET AND YANKEE HILL ROAD. (RELATED ITEMS: 14-58, 14-59 & 14-60) - CLERK read an ordinance, introduced by Jonathan Cook, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the third time.

COOK Moved to pass the ordinance as read.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

The ordinance, being numbered **#20034**, was recorded in Ordinance Book #209, Page .

CHANGE OF ZONE 05068D - AMENDING THE WOODLANDS AT YANKEE HILL PLANNED UNIT DEVELOPMENT FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT PUD TO EXPAND THE AREA OF THE PUD, AND FROM R-3 RESIDENTIAL DISTRICT PUD TO R-3 RESIDENTIAL DISTRICT TO REDUCE THE AREA OF THE PUD, GENERALLY LOCATED BETWEEN SOUTH 70TH STREET AND SOUTH 84TH STREET SOUTH OF YANKEE HILL ROAD; FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION ON THE PROPERTY BEING ADDED TO THE PUD; AND FOR APPROVAL OF A DEVELOPMENT PLAN MODIFYING THE ZONING ORDINANCE AND LAND SUBDIVISION ORDINANCE TO ALLOW INCREASES IN THE NUMBER OF DWELLING UNITS FROM 613 TO 675. (RELATED ITEMS: 14-58, 14-59 & 14-60) - CLERK read an ordinance, introduced by Jonathan Cook, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

COOK Moved to pass the ordinance as read.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

The ordinance, being numbered **#20035**, was recorded in Ordinance Book #209, Page .

STREET NAME CHANGE 12002 - RENAMING BUSH AVENUE GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF SOUTH 78TH STREET AND YANKEE WOODS DRIVE TO HACIENDA DRIVE. (RELATED ITEMS: 14-58, 14-59 & 14-60) - CLERK read an ordinance, introduced by Jonathan Cook, changing the name of Bush Avenue located southeast of the intersection of South 78th Street and Yankee Woods Drive to Hacienda Drive as recommended by the Street Name Committee, the third time.

COOK Moved to pass the ordinance as read.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

The ordinance, being numbered #20036, was recorded in Ordinance Book #209, Page .

AMENDING SECTION 9.36.025 RELATING TO FIREARMS OFFERED FOR SALE AT RETAIL; ACCESS RESTRICTED, TO PROVIDE THAT AMMUNITION FOR FIREARMS OTHER THAN HANDGUNS IS NOT REQUIRED TO BE SECURED OR INACCESSIBLE WITHOUT ASSISTANCE OF AUTHORIZED SALES PERSONNEL OF THE RETAILER; AND REPEALING SECTION 9.36.025 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Jonathan Cook, amending Section 9.36.025 relating to Firearms Offered for Sale at Retail; Access Restricted, to provide that ammunition for firearms other than handguns is not required to be secured or inaccessible without assistance of authorized sales personnel of the retailer; and repealing Section 9.36.025 of the Lincoln Municipal Code as hitherto existing, the third time.

COOK Moved to pass the ordinance as read.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

The ordinance, being numbered #20037, was recorded in Ordinance Book #209, Page .

AUTHORIZING THE SALE OF CITY OWNED PROPERTY LOCATED AT 422, 436 AND 444 NORTH 27TH STREET TO TJK INVESTMENTS INC. PURSUANT TO THE HARTLEY FLATS REDEVELOPMENT AGREEMENT - CLERK read the following ordinance, introduced by Jonathan Cook, authorizing the sale of City owned property located at 422, 436 and 444 North 27th Street, Lincoln, Nebraska, more particularly described on Exhibit A-1 attached hereto, to TJK Investments Inc. pursuant to the Hartley Flats Redevelopment Agreement, the third time.

COOK Moved to pass the ordinance as read.

Seconded by Gaylor Baird and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

The ordinance, being numbered #20038, was recorded in Ordinance Book #209, Page .

VACATION NO. 13004 - VACATING PINE TREE LANE FROM NORTH 7TH STREET TO THE END OF THE PINE TREE LANE CUL-DE-SAC, GENERALLY LOCATED AT NORTH 7TH STREET AND PINE TREE LANE - CLERK read an ordinance, introduced by Jonathan Cook, vacating Pine Tree Lane from North 7th Street to the end of the Pine Tree Lane cul-de-sac, generally located at North 7th Street and Pine Tree Lane, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the third time.

COOK Moved to pass the ordinance as read.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

The ordinance, being numbered #20039, was recorded in Ordinance Book #209, Page .

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS WITH A TOTAL NOT TO EXCEED \$4,700,000 FOR THE CITY OF LINCOLN, SPEEDWAY SPORTING VILLAGE REDEVELOPMENT PROJECT - CLERK read the following resolution, introduced by Jonathan Cook, authorizing and providing for the issuance of city of Lincoln, Nebraska tax allocation bonds, notes or other obligations, in one or more taxable or tax-exempt series, in an aggregate principal amount not to exceed \$4,700,000 for the purpose of (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain improvements within the city's sporting village redevelopment project area, including acquiring any real estate and/or interests in real estate in connection therewith, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the bonds, notes or other obligations; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bonds, notes or other obligations as the same become due; limiting payment of the bonds, notes or other obligations to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the finance director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of the bonds, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the third time.

COOK Moved to pass the ordinance as read.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

The ordinance, being numbered #20040, was recorded in Ordinance Book #209, Page .

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (as required)

TEXT AMENDMENT NO. 14004 – AMENDING SECTION 27.63.320 RELATING TO SPECIAL PERMITS TO ALLOW COMMUNITY UNIT PLANS IN THE R-7 AND R-8 ZONING DISTRICT BY SPECIAL PERMIT; AMENDING SECTION 27.65.020, COMMUNITY UNIT PLAN REQUIREMENTS, TO ALLOW COMMUNITY UNIT PLANS IN THE R-7 AND R-8 ZONING DISTRICTS AND PROVIDING FOR THE CALCULATION OF THE MAXIMUM PERMITTED DENSITY THEREOF; AMENDING THE CATCHHEAD OF SECTION 27.65.070 TO REFLECT ITS APPLICABILITY TO COMMUNITY UNIT PLANS IN THE R-7 AND R-8 ZONING DISTRICTS; AMENDING SECTION 27.65.090 RELATING TO PARKING WITHIN COMMUNITY UNIT PLANS TO ALLOW THE PLANNING COMMISSION TO MAKE CERTAIN MODIFICATIONS TO THE PARKING REQUIREMENTS SET FORTH IN CHAPTER 27.67; AMENDING SECTION 27.67.040 TO ESTABLISH THE PARKING REQUIREMENT FOR DWELLINGS FOR NONRELATED PERSONS FOR FOUR TO SIX PERSONS LIVING AS A SINGLE HOUSEKEEPING UNIT PERMITTED UNDER A COMMUNITY UNIT PLAN AS ONE SPACE PER RESIDENT; AND AMENDING SECTION 27.67.065 TO DELETE SPECIAL PARKING REQUIREMENTS FOR COMMUNITY UNIT PLANS. (RELATED ITEMS: 14-71, 14R-166)

- CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Title 27 of the Lincoln Municipal Code by amending Section 27.63.320 relating to special permits to allow community unit plans in the R-7 and R-8 zoning districts by special permit; amending Section 27.65.020 (Community Unit Plan Requirements) to allow community unit plans in the R-7 and R-8 zoning districts and providing for the calculation of the maximum permitted density thereof; amending the catchhead of Section 27.65.070 to reflect its applicability to community unit plans in the R-7 and R-8 zoning districts; amending Section 27.65.090 relating to parking within community unit plans to allow the Planning Commission to make certain modifications to the parking requirements set forth in Chapter 27.67; amending Section 27.67.040 to establish the parking requirement for Dwellings for Nonrelated Persons for four to six persons living as a single housekeeping unit permitted under a community unit plan as one space per resident; amending Section 27.67.065 to delete special parking requirements for community unit plans; and repealing Sections 27.63.320, 27.65.020, 27.65.070, 27.65.090, 27.67.040, and 27.67.065 of the Lincoln Municipal Code as hitherto existing, the first time.

TEXT AMENDMENT 14005 – APPLICATION OF ELSEY PARTNERS TO AMEND CHAPTER 3.35 OF THE DESIGN STANDARDS FOR COMMUNITY UNIT PLANS TO PROVIDE MAXIMUM DENSITY STANDARDS FOR THE R-7 AND R-8 RESIDENTIAL ZONING DISTRICTS AND TO PROVIDE FOR THE CALCULATION OF A TOTAL MAXIMUM DENSITY AND MAXIMUM CLUSTER DENSITY FOR DWELLING UNITS WHEN THE PROPERTY WITHIN THE BOUNDARIES OF A CUP INCLUDES PROPERTY LOCATED IN MORE THAN ONE RESIDENTIAL ZONING DISTRICT. (RELATED ITEMS: 14-71, 14R-166, 14R-164, 14-73) (ACTION DATE: 6/30/14)

COMP. PLAN CONFORMANCE 14011 – APPROVING THE ANTELOPE VALLEY REDEVELOPMENT PLAN TO ADD THE “ELEVEN HUNDRED Y STREET PROJECT” FOR 126 DWELLING UNITS ON APPROXIMATELY 2.2 ACRES, GENERALLY LOCATED BETWEEN 10TH STREET ON THE WEST, Y STREET ON THE SOUTH, N. 12TH STREET ON THE EAST AND THE EAST/WEST ALLEY BETWEEN Y STREET AND CHARLESTON STREET ON THE NORTH. (RELATED ITEMS: 14-71, 14R-166, 14R-164, 14-73) (ACTION DATE: 6/30/14)

CHANGE OF ZONE 14011 – APPLICATION OF ELSEY PARTNERS FOR A CHANGE OF ZONE FROM B-3 COMMERCIAL DISTRICT, R-4 RESIDENTIAL DISTRICT AND I-1 INDUSTRIAL DISTRICT TO R-8 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT NORTH 10TH STREET AND Y STREET. (RELATED ITEMS: 14-71, 14R-166, 14R-164, 14-73) - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

APPROVING A STARTRAN TRANSPORTATION AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA TO EXPAND THE EXISTING TRANSIT SERVICE TO INCLUDE SERVICE FROM BOTH CAMPUSES TO INNOVATION CAMPUS FOR A TERM OF AUGUST 24, 2015 THROUGH AUGUST 14, 2020 - CLERK read and ordinance, introduced by Leirion Gaylor Baird, approving the StarTran Transportation Agreement between the City of Lincoln and the Board of Regents of the University of Nebraska for expanded bus service in conjunction with the UNL Transportation Program to include service to Innovation Campus for a five year term beginning August 24, 2015, the first time.

APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND LOBO’S CITY MEX, INC. FOR THE LEASE OF PROPERTY GENERALLY LOCATED AT 344 NORTH 27TH STREET FOR A TWO YEAR TERM - CLERK read an ordinance, introduced by Leirion Gaylor Baird, accepting and approving a Lease Agreement between the City of Lincoln and Lobo’s City Mex, Inc. For the lease of City owned property generally located at 344 North 27th Street for a two year term with the option to renew for four additional two year terms, the first time.

RESOLUTIONS - 1ST READING

COMP. PLAN CONFORMANCE 14010 – APPROVING THE ASSIGNMENT OF A PERMANENT CONSERVATION EASEMENT TO THE CITY OF LINCOLN FOR THE PURPOSE OF PRESERVING FLOOD STORAGE VOLUME IN THE SALT CREEK STORAGE AREA, ON PROPERTY GENERALLY LOCATED AT S. 1ST STREET AND W. SOUTH STREET.

OPEN MICROPHONE - NONE

ADJOURNMENT

6:28 P.M.

CAMP Moved to adjourn the City Council Meeting of June 16, 2014.
 Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook,
Emery, Eskridge, Gaylor Baird; NAYS: None; ABSENT: Fellers.

Teresa J. Meier, City Clerk

Amy Hana Huffman, Office Specialist

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