

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, JUNE 23, 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, Eskridge, Fellers, Gaylor Baird; City Clerk, Teresa J. Meier, Absent: Cook.

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**

Camp Having been appointed to read the minutes of the City Council proceedings of June 16, 2014, reported having done so, found same correct.

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

**PUBLIC HEARING**

APPLICATION OF STAR CITY HOCKEY LLC DBA LINCOLN STARS HOCKEY FOR A CLASS I LIQUOR LICENSE AT 1800 STATE FAIR PARK DRIVE;  
MANAGER APPLICATION OF JAMES R. PFLUG FOR STAR CITY HOCKEY LLC DBA LINCOLN STARS HOCKEY AT 1800 STATE FAIR PARK DRIVE. - J. L. Spray, 134 S. 13<sup>th</sup> St., came forward representing Star City Hockey, LLC, 1800 State Fair Park Dr., to take the oath and answer questions. Lincoln Stars Hockey has held a liquor license since 1996. The new application has been submitted for Council review because of a change in company ownership. Mr. Pflug was also required to file new manager application as a result of this change.

This matter was taken under advisement.

APPLICATION OF SCHMICK'S MARKET, INC. DBA SCHMICK'S MARKET FOR A CLASS CK LIQUOR LICENSE AT 2727 N. 11TH ST.;  
MANAGER APPLICATION OF CODY L. SCHMICK FOR SCHMICK'S MARKET, INC. DBA SCHMICK'S MARKET AT 2727 N. 11TH ST. - Jeff Twombly, 2727 N. 11<sup>th</sup> St., came forward in place of Cody L. Schmick, who was unable to attend today's meeting. Schmick's is a family owned and operated grocery store chain and holds liquor licenses at locations in McCook and Broken Bow. Discussion followed.

This matter was taken under advisement.

APPLICATION OF SHAD SANFORD DBA SLICE PIZZERIA FOR A CLASS I LIQUOR LICENSE AT 4811 N.W. 1ST ST. - Shad Sanford, owner of Slice Pizzeria, 4811 NW 1<sup>st</sup> St., came forward to take the oath and answer questions. He stated they are currently under construction and he is applying as manager. This is a new start up business and not a franchise. It will be located in the Highlands area and the anticipated opening date is August.

This matter was taken under advisement.

APPLICATION OF TAVERNS & BARS LLC DBA SUN VALLEY BAR & GRILL FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 25 FEET BY 77 FEET AT 300 W. P ST. ON JULY 3, 4 AND 5, 2014 FROM 5:00 P.M. TO 1:00 A.M. - Jeff Funk, owner of Sun Valley Bar & Grill, 300 W. P St., came forward to state this license is to cover an outdoor picnic area where customers will be able to celebrate the 4<sup>th</sup> of July weekend. This is a great location to watch the fireworks.

This matter was taken under advisement.

APPLICATION OF JAMES ARTHUR VINEYARDS FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 12 FT. BY 80 FT. AT 803 Q ST. ON JULY 11, 2014 FROM 10:00 A.M. TO 9:00 P.M., JULY 12, 2014 FROM 9:00 A.M. TO 9:00 P.M., AND ON JULY 13, 2014 FROM 12:00 P.M. TO 6:00 P.M. - Jim Ballard, coowner of James Arthur Vineyards and From Nebraska Gift Shop, 803 Q St., came forward to state that this event is a grand re-opening of this location. There will be live music, food demonstrations from vendors, wine specials, and a book signing. The dock area will also eventually be licensed.

This matter was taken under advisement.

APPLICATION OF KURT KONTOR DBA 501 BAR & GRILL FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 90 FT. BY 90 FT. AT 501 W. A ST. ON JULY 5, 2014 FROM 11:00 A.M. TO 2:00 A.M. - Kurt Kontor, owner of 501 Bar & Grill, 501 W. A St., came forward to state this event is the Hogs for Dawgs Poker Run fundraiser for dogs for the blind.

This matter was taken under advisement.

**REGULAR MEETING  
JUNE 23, 2014  
PAGE 446**

APPLICATION OF BARKEL ENTERPRISES INC. DBA PANIC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 100 FT. BY 50 FT. AT 200 S. 18TH ST. ON JULY 11 AND 12, 2014 FROM 10:00 A.M. TO 2:00 A.M. - Kara Kugler, co-owner of Panic, 200 S. 18<sup>th</sup> St., came forward to state this SDL is to extend the beer garden for the 7<sup>th</sup> annual LGBT event.

This matter was taken under advisement.

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);

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) (ACTION DATE: 6/30/14) - Derek Zimmerman, Baylor Evnen Law Firm, 1248 O St., Ste. 600, came forward on behalf of the applicant to state the two changes are to amend the Special Permit section of the Code to allow Community Unit Plans (CUP) in the R-7 and R-8 Districts, to provide for calculations for maximum densities within those, and to amend sections pertaining to design standards for CUPs. They are allowed by special permit in the R-1 through R-6 districts. The purpose of CUPs is to provide flexibility to residential developers. We tried to determine why the R-7 and R-8 districts were not included under the 1979 zoning ordinance change. Historically, R-8 zones allowed more density than today. Most R-8 districts are located near downtown, and ideas about density in those areas have changed somewhat. Discussion followed.

Marvin Krout, Director of Planning, came forward to state the changes are simply relocating the standards from one section to another, where they make more sense and will be easier to find. In answer to Council questions, he stated that through a Special Permit, Planning is allowed to approve dwelling units that can have more than three unrelated individuals in the R-1 through R-5 zoning districts, and in those approved projects, the parking standard is one for every resident. In the CUP provisions today, sometimes there is a maximum density, and minimum parking requirement in certain districts. For the most part, they are consistent with the standards of the base districts. There are a couple of areas where the standards differ, and they seem like arbitrary determinations, so we have given the Planning Commission the flexibility to make decisions on a case-by-case basis, which allows for a more detailed site plan and thus more accommodation to the surrounding neighbors.

Wendy Thrasher, 806 Y St., came forward in opposition to state she attempted to appeal the decision of the Planning Commission to suspend, waive and rewrite long standing zoning ordinances to allow Mr. Elsey to ignore parking and traffic flow requirements in order to construct his proposed student housing project. The appeal was not accepted because it missed the fourteen day deadline. After conducting research, it is still unclear whether appeals must be filed within fourteen consecutive days or fourteen business days. She stated she strongly disagrees that the surrounding neighborhood and real property adjacent to the area will not be adversely affected, that North Bottoms residents will support this, and that it will provide any health or safety benefits to the community. If these changes are allowed, overflow parking will spill into neighborhood and create problems for emergency and other large vehicles.

Mr. Krout returned to state he does not have the details of the appeal.

Rick Peo, Law Department, came forward to state the notice of appeal must be made within fourteen consecutive days, with day one beginning the first full day after the date of Planning Commission's decision.

Mr. Krout stated that while the CUP was approved and cannot be appealed after fourteen days, there is the rezoning request and all of Ms. Thrasher's arguments are appropriate to introduce as evidence. Elsey Partners cannot build the plan without the R-8 zoning.

Becky Schenaman, 817 Y St., came forward to state that as a lifelong resident of North Bottoms, she has concerns about parking, especially on Charleston Street. People park in the neighborhood during football and baseball games. It once took a relative in the neighborhood two hours to get out. What would happen if there were an emergency during one of these events? The streets are narrow and if people park on both sides, it is difficult to get through. There are additional issues with renters having parties with many guests, and garbage build up during games. Soon there will be additional sports in the area. Council must address this parking issue.

This matter was taken under advisement.

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) - David Landis, Director of Urban Development, came forward to state this is the description for the potential project proposed by Elsey Partners. It allows evaluation as to whether or not it will be in conformance with the Comprehensive Plan and if it is a desirable project to pursue. The area is a long block, approximately 2.2 acres, and is located the required amount of distance from the railroad tracks. It is in a floodplain, so those standards will also be met. If the project moves forward, it will also include a number of public improvements including paving of alleys, construction of a median, sidewalks, storm and sewer drains, lights, and street trees. At two neighborhood meetings, there were concerns expressed about additional traffic and adding more apartments. It was approved unanimously by the Planning Commission and the Urban Design Committee. Discussion followed.

Chris Elsey, 1532 College Ave., Manhattan, KS, came forward to state that Elsey Partners is a family owned student housing development company with an in-house architect, managers, and contractors. The company seeks to be good neighbors in the communities within which it invests. This site is attractive due to its walkability to the University campus, the stadium, downtown, and the Haymarket, where many students are employed. The entire block is under contract. Access will be via a slip road. The higher-end housing will include an even mix of 1, 2 and 3 bedroom units and will be targeted towards students and young professionals. We have addressed many of the traffic concerns. Student housing generates about a third of the trips generated by a typical apartment complex, mainly because students walk to class. The building design itself includes a step deck design, with the highest point facing the stadium, and stepping down to transition into the neighborhood. Discussion followed.

Walt Bleich, 1062 Y Street, came forward to state that at first, he opposed this project because his house faces the football stadium, and he also has concerns about parking and traffic. However, much of the opposition by the neighborhood is based on nostalgia and remembering how the neighborhood used to be. The school is closed, there are not many young children there, and of the twelve houses on his block, only three are owner occupied. The developer is working with the neighborhoods. This project will provide a buffer to the railroad tracks. There are not parties in apartment complexes the way there are in converted rental properties. Paving the alley will create less dust, less maintenance and the landscaping will improve the look. Mr. Bleich stated he is now in favor of this project moving forward.

Wendy Thrasher, 806 Y St., came forward to state she is concerned about traffic and pedestrian safety. The garages of many residents are located in the alley. Would the alley vacation and paving have an impact on their access or that of emergency vehicles? The safety of the courtyard and pool at the proposed complex should be considered carefully. The City has never fixed 12<sup>th</sup> Street until now, and the bridge is also in terrible disrepair. She added that the overall revitalization of this neighborhood has been successful and there are fewer disorderly households and less garbage after games, so that causes hesitation about building a new student housing project.

Marvin Krout returned for staff rebuttal. He stated the alley will remain public and will be widened and paved, so access will be enhanced. The front setback was reduced but will have a landscaped tree area. Street trees would be planted by the developer and maintained by the City. Studies have shown that traffic volume decreases with student housing in the downtown area. Discussion followed.

David Landis returned to state that this neighborhood has been invested in, with projects like a \$50,000 injection into the park, and the addition of lights. Generally, fewer of those funds are available now. With the use of TIF funds via this project, you can expect other enhancements and upgrades to be made to the neighborhood surrounding the development.

This matter was taken under advisement.

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 - Chris Connolly, Law Department, came forward to state this is a new agreement with the University of Nebraska to provide bus

**REGULAR MEETING  
JUNE 23, 2014  
PAGE 448**

service to Innovation Campus. It will also allow for StarTran to purchase four new buses. The agreement runs for five years and will like be extended beyond that. This was also approved by the Board of Regents.

Mike Davis, Transit Manager for StarTran, came forward to state that the StarTran Advisory Board also approves this agreement. Discussion followed.

This matter was taken under advisement.

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 - David Landis, Director of Urban Development, came forward to state the structure on this property was abandoned for many years and then burned. The City was asked by the North 27<sup>th</sup> Street Business Improvement District (BID) to buy and demolish it. Fair market value was paid, as required, and additional expenses went to the demolition and for tree removal. The adjacent business operator is now interested in using the space to meet his needs for parking, suppliers, and a permanent home for a food truck. In this arrangement, the City would retain ownership of the lot but would relinquish responsibility for the maintenance and taxes to the lessee. Discussion followed.

Raul Lobo, 344 N. 27<sup>th</sup> St., came forward on behalf of his father, who owns Lobo's City Mex. He stated that their business sells specialized grocery import products to customers from all over Nebraska, as well as convenience items to the neighborhood. There is interest in the potential to purchase the property in the future. Discussion followed.

Kurt Donaldson, 27<sup>th</sup> Street BID Association, 2860 R street, came forward in support of this item to state that there is a public purpose in improving businesses and demolishing derelict structures on major arterial streets. If this lot is paved, it will still be paved and useful in the future; gravel may be less expensive in the short-term, but it is not as desirable a long-term option.

Maurice Baker, 3250 Starr St., came forward representing Clinton Neighborhood Association, officially in favor of this agreement. He stated that projects like these should not be viewed as individual packages. To only analyze the effect of improving one isolated area ignores the overall improvement made to other existing properties, and to the economic and tax base for the City as a whole. He stated that he is also against using gravel in the lot in place of paving.

Russel Irwin, Clinton Neighborhood Organization, 3270 Merrill St., came forward to state that anything that improves this area is a benefit to the whole community. He is also against using gravel in the parking lot.

This matter was taken under advisement.

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 - Rick Peo, Law Department, came forward to state Motion to Amend No. 1 is to insert the missing date.

Ben Higgins, Public Works & Utilities Department, came forward to state that in order to comply with Salt Creek storage standards to build a building, this easement is needed.

Gus Ponstingl, MAPCO, Inc., no address given, came forward on behalf of Dallman Revocable Trust to answer questions about the conservation easement.

Andrew Willis, Cline Williams Wright Johnson & Oldfather, LLC, 233 S. 13<sup>th</sup> St., Ste. 1900, came forward to state the easement has been agreed upon by all parties, and it is being assigned to the City for enforcement.

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 9, 2014 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

REQUEST OF PUBLIC WORKS TO SET THE HEARING DATE OF MONDAY, JULY 28, 2014, AT 5:30 P.M. & PLACE ON THE FORMAL CITY COUNCIL AGENDA THE FOLLOWING:

- |       |   |
|-------|---|
| 14-69 | PROVIDE AUTHORITY TO CREATE A PAVING DISTRICT IN NW 10 <sup>TH</sup> FROM W. DAWES TO W. BELMONT ST. AND ASSESS THE COST THEREOF AGAINST THE BENEFITTED PROPERTY OWNERS.          |
| 14-70 | PROVIDE AUTHORITY TO CREATE & ORDER A SPECIAL ASSESSMENT 6-INCH WATER DISTRICT IN GOODHUE BLVD., FROM A TO B STS., AND ASSESS THE COST THEREOF AGAINST THE BENEFITTED PROPERTIES. |

**PETITIONS & COMMUNICATIONS**

REFERRED TO THE PLANNING DEPARTMENT:

Change of Zone 14016 - Requested by Hoogland Foods, LLC, from O-2 Suburban Office District to B-1 Local Business District, on property generally located at N. 70th St. and Adams St.

Change of Zone 14017 - Requested by Rokeby Holdings, Ltd., from AG Agricultural District to R-3 Residential District, on property generally located at S. 70th St. and Rokeby Rd.

Special Permit 14014 - Requested by A. Michael Alesio, to allow a parking lot, including a request to waive the setback requirements, on property generally located at 4702 Cooper Ave.

Special Permit 14015 - Requested by Rokeby Holdings, Ltd., for authority to develop the Grandview Estates First Addition Community Unit Plan, consisting of 316 single family dwelling lots with a maximum allowed density of 760 dwelling units, on approximately 109.22 acres, including requests to waive maximum block length and to allow sanitary sewer to run opposite street grades, on property generally located at S. 70th St. and Rokeby Rd.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment 14034 to Use Permit 101A, requested by Professional Park North Partners, LLC, approved by the Planning Director on June 16, 2014, to enlarge the floor area from 15,550 to 17,000 sq. ft. on Lot 4; reduce the setback on the north boundary to zero; and adjust the Land Use Table, on property generally located at N. 26<sup>th</sup> St. and Ticonderoga Dr.

**LIQUOR RESOLUTIONS**

APPLICATION OF STAR CITY HOCKEY LLC DBA LINCOLN STARS HOCKEY FOR A CLASS I LIQUOR LICENSE AT 1800 STATE FAIR PARK DRIVE - CLERK read a resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88338 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 Star City Hockey LLC dba Lincoln Star Hockey for a Class "I" liquor license at 1800 State Fair Park Drive, Lincoln, Nebraska, for the license period ending April 30, 2015, be approved with the condition that:

1. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

2. The premises must comply in every respect with all city and state regulations.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

MANAGER APPLICATION OF JAMES R. PFLUG FOR STAR CITY HOCKEY LLC DBA LINCOLN STARS HOCKEY AT 1800 STATE FAIR PARK DRIVE - CLERK read a resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88339 WHEREAS, Star City Hockey LLC dba Lincoln Stars Hockey located at 1800 State Fair Park Drive, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that James R. Pflug be named manager;

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

APPLICATION OF SCHMICK'S MARKET, INC. DBA SCHMICK'S MARKET FOR A CLASS CK LIQUOR LICENSE AT 2727 N. 11TH ST - CLERK read a resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88340 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 Schmick's Market, Inc. dba Schmick's Market for a Class "CK" liquor license at 2727 North 11th Street, Lincoln, Nebraska, for the license period ending October 31, 2014, be approved with the condition that:

**REGULAR MEETING  
JUNE 23, 2014  
PAGE 450**

1. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
2. The premises must comply in every respect with all city and state regulations.  
The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

MANAGER APPLICATION OF CODY L. SCHMICK FOR SCHMICK'S MARKET, INC. DBA SCHMICK'S MARKET AT 2727 N. 11TH ST - CLERK read a resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88341 WHEREAS, Schmick's Market, Inc. dba Schmick's Market located at 2727 North 11th Street, Lincoln, Nebraska has been approved for a Retail Class "CK" liquor license, and now requests that Cody L. Schmick be named manager;

WHEREAS, Cody L. Schmick 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 Code L. Schmick 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 Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook.

APPLICATION OF SHAD SANFORD DBA SLICE PIZZERIA FOR A CLASS I LIQUOR LICENSE AT 4811 N.W. 1ST ST - CLERK read a resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88342 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 Shad Sanford dba Slice Pizzeria for a Class "I" liquor license at 4811 N.W. 1st Street, Lincoln, Nebraska, for the license period ending April 30, 2015, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage server training course required by Section 5.04.035 of the Lincoln Municipal Code within 30 days of approval of this resolution.
2. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

3. The premises must comply in every respect with all city and state regulations.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

APPLICATION OF TAVERNS & BARS LLC DBA SUN VALLEY BAR & GRILL FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 25 FEET BY 77 FEET AT 300 W. P ST. ON JULY 3, 4 AND 5, 2014 FROM 5:00 P.M. TO 1:00 A.M - CLERK read a resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88343 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 Taverns & Bars LLC dba Sun Valley Bar & Grill for a special designated license to cover an area measuring approximately 25 feet by 77 feet at 300 West P Street, Lincoln, Nebraska, on July 3, 4 and 5, 2014, between the hours of 5:00 p.m. and 1:00 a.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 Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook.

APPLICATION OF JAMES ARTHUR VINEYARDS FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 12 FT. BY 80 FT. AT 803 Q ST. ON JULY 11, 2014 FROM 10:00 A.M. TO 9:00 P.M., JULY 12, 2014 FROM 9:00 A.M. TO 9:00 P.M., AND ON JULY 13, 2014 FROM 12:00 P.M. TO 6:00 P.M. - CLERK read a resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88344 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 James Arthur Vineyards for a special designated license to cover an area measuring approximately 12 feet by 80 feet at 803 Q Street, Lincoln, Nebraska, on July 11, 2014 from 10:00 a.m. to 9:00 p.m., July 12, 2014 from 9:00 a.m. to 9:00 p.m., and on July 13, 2014 from 12:00 p.m. to 6:00 p.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 Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook.

APPLICATION OF KURT KONTOR DBA 501 BAR & GRILL FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 90 FT. BY 90 FT. AT 501 W. A ST. ON JULY 5, 2014 FROM 11:00 A.M. TO 2:00 A.M. - CLERK read a resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88345 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 Kurt Kontor dba 501 Bar & Grill for a special designated license to cover an area measuring approximately 90 feet by 90 feet at 501 West A Street, Lincoln, Nebraska, on July 5, 2014, between the hours of 11:00 a.m. and 2:00 a.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 Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook.

APPLICATION OF BARKEL ENTERPRISES INC. DBA PANIC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING APPROXIMATELY 100 FT. BY 50 FT. AT 200 S. 18TH ST. ON JULY 11 AND 12, 2014 FROM 10:00 A.M. TO 2:00 A.M. - CLERK read a resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88346 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 Barkel Enterprises Inc. dba Panic for a special designated license to cover an area measuring approximately 100 feet by 50 feet at 200 South 18th Street, Lincoln, Nebraska, on July 11 and 12, 2014, between the hours of 10:00 a.m. and 2:00 a.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 Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook.

**ORDINANCES - 2<sup>ND</sup> 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 second 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 second 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 second 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 27<sup>th</sup> Street for a two year term with the option to renew for four additional two year terms, the second time.

**PUBLIC HEARING - RESOLUTIONS**

APPROVING AN INTERLOCAL MASTER FACILITY USE AGREEMENT BETWEEN LINCOLN PUBLIC SCHOOLS AND THE CITY OF LINCOLN ESTABLISHING AN EQUITABLE METHOD FOR SHARING COSTS ASSOCIATED WITH SHARED USE OF FACILITIES MANAGED BY EACH OF THE PARTIES. (6/9/14 - PUBLIC HEARING & ACTION CONT'D 2 WEEKS TO 6/23/14) (REQUEST TO PLACE ON PENDING, NO DATE CERTAIN) (PLACED ON PENDING, NO DATE CERTAIN; WILL HAVE CON'T P.H.; 6-0) - PRIOR to reading:

CAMP Moved to place Bill No. 14R-155 on Pending, No Date Certain. (Will have cont'd P.H.)  
Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook.

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 - PRIOR to reading:

Gaylor Baird Moved MTA #1 to amend Bill No. 14R-165 in the following manner:

1. Amend Attachment "A" Assignment of Easement by inserting in the blank lines within Recital A. the date of April 18, and to insert the Instrument #2014-013263.

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

CLERK Read the following resolution, introduced by Gaylor Baird, who moved its adoption as amended:

A-88347 WHEREAS, the City of Lincoln desires to accept an assignment of a conservation easement to preserve flood storage volume in the Salt Creek Storage Area over approximately 5,625 square feet of property ("Burdened Property") generally located in the southeast corner of Lot 2, Talbert Industrial Park Addition, commonly known as 177 W. South Street, and legally described as:

Beginning at the southeast corner of Lot 2, Talbert Industrial Park, Lincoln, Lancaster County, Nebraska, proceed north a distance of 100 feet; thence westerly a distance of 56.25 feet; thence south a distance of 100 feet; thence easterly a distance of 56.25 feet to the point of beginning;

WHEREAS, the City of Lincoln is authorized to accept and hold this conservation easement under the terms of the Conservation and Preservation Easement Act (Neb. Rev. Stat. §§ 76-2,111 to 76,2,118); and

WHEREAS, Neb. Rev. Stat. § 76-2,112 requires that, in order to minimize conflicts with land use planning, the proposed assignment of the conservation easement must be submitted to the Lincoln City - Lancaster County Planning Commission for comments regarding the conformity of the conservation easement to the Lincoln City Comprehensive Plan prior to acceptance of the assignment by the City of Lincoln; and

WHEREAS, the Planning Commission found this proposed conservation easement to be in conformity with the Comprehensive Plan as approved by Resolution No. PC-01396 on May 28, 2014.

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

That the attached Assignment of Easement marked as Attachment "A" to be assigned by Danniell L. Dallman, Trustee of the Danniell L. Dallman Revocable Trust, and Rebecca L. Dallman, Trustee of the Rebecca L. Dallman Revocable Trust, to the City of Lincoln to restrict the use of the Burdened Property to preserve flood storage volume in the Salt Creek Storage Area, is hereby found to be in conformance with the Lincoln City Comprehensive Plan.

Introduced by Leirion Gaylor Baird

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

**ORDINANCES - 3<sup>RD</sup> 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. 84<sup>th</sup> St. and South St. as surplus, the third time.

**REGULAR MEETING  
JUNE 23, 2014  
PAGE 454**

ESKRIDGE Moved to pass the ordinance as read.  
Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook.  
The ordinance, being numbered #20041, is recorded in Ordinance Book #209, Page .

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) - PRIOR to reading:  
CHRISTENSEN Moved to Delay Action on Bill No. 14-65 for two weeks to July 14, 2014 with continued Public Hearing.

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

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 6<sup>th</sup> 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 third 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) - PRIOR to reading:

CHRISTENSEN Moved to Delay Action on Bill No. 14-65 for two weeks to July 14, 2014 with continued Public Hearing.

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

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 third 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) - PRIOR to reading:

CHRISTENSEN Moved to Delay Action on Bill No. 14R-161 for two weeks to July 14, 2014 with continued Public Hearing.

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

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. 4<sup>th</sup> St. & N. 6<sup>th</sup> St., the third time.

ESKRIDGE Moved to pass the ordinance as read.  
Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook.

The ordinance, being numbered #20042, is recorded in Ordinance Book #209, Page .

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) - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-88348 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Operations Agreement between the City of Lincoln, Nebraska, and the Board of Regents of the University of Nebraska, for the construction and operation of the Breslow Center and other related facilities on Lot 1, Block 1, West Haymarket Addition, Lincoln, Lancaster County, Nebraska, upon the terms and conditions set forth therein, 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 forward one fully executed original of said Operations Agreement to Jocelyn Golden, Assistant City Attorney, for transmittal to the University of Nebraska.

Introduced by Carl Eskridge

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

**ORDINANCES - 1<sup>ST</sup> READING & RELATED RESOLUTIONS (as required)**

ANNEXATION 14003 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 34 ACRES GENERALLY LOCATED AT S. 63RD ST. AND YANKEE HILL RD - CLERK read an ordinance, introduced by Jon Camp, 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 first time.

CHANGE OF ZONE 04075E - AMENDING THE VILLAGE GARDENS PLANNED UNIT DEVELOPMENT BY EXPANDING THE BOUNDARY BY APPROXIMATELY 34 ACRES; FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT PUD; FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR A DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE AND LAND SUBDIVISION ORDINANCE TO ALLOW AN ELDERLY AND RETIREMENT HOUSING FACILITY AND AN ADDITIONAL 92 SINGLE-FAMILY DWELLING LOTS ON THE UNDERLYING R-3 ZONED AREA, ON PROPERTY GENERALLY LOCATED AT S. 63RD ST. AND YANKEE HILL RD. (RELATED ITEMS: 14-76, 14-77) - CLERK read an ordinance, introduced by Jon Camp, 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 first time.

**RESOLUTIONS - 1<sup>ST</sup> READING**

COMP. PLAN AMENDMENT 14003 - AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN TO ADOPT THE LINCOLN WATER SYSTEM FACILITIES MASTER PLAN.

REAPPOINTING EMILY CASPER, LUANN FINKE, AND SCOTT E. HOFELING TO THE COMMUNITY FORESTRY ADVISORY BOARD FOR A TERM EXPIRING AUGUST 14, 2017.

REAPPOINTING KATHLEEN NEARY, RICK POORE AND DONALD R. STADING TO THE CHARTER REVISION COMMISSION FOR A TERM EXPIRING JULY 15, 2018.

REAPPOINTING HEATHER BAKER, ROGER (R.J.) LIPERT AND RUSSELL F. MILLER TO THE ALARM REVIEW BOARD FOR A TERM EXPIRING JULY 1, 2016.

REAPPOINTING PAUL BARNETT, STEVEN EGGLAND, JOHN NEAL TO THE TELECOMMUNICATION/CABLE TELEVISION ADVISORY BOARD FOR A TERM EXPIRING JULY 1, 2017.

APPOINTING SHERRIE NELSON TO THE PARKS AND RECREATION ADVISORY BOARD FOR A TERM EXPIRING APRIL 27, 2015.

APPOINTING OLIVE MARTIN AND EMILY GRAUL TO THE PARKS AND RECREATION ADVISORY BOARD FOR A TERM EXPIRING JUNE 1, 2015.

APPROVING A REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND KFA 1208, LLC FOR THE RENOVATION OF THE THIRD AND FOURTH FLOORS OF THE EXISTING STRUCTURE AT 1208 O ST.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JUNE 1-15, 2014.

**OPEN MICROPHONE - NONE**

**REGULAR MEETING  
JUNE 23, 2014  
PAGE 456**

**ADJOURNMENT**

**5:25 P.M.**

CAMP            Moved to adjourn the City Council Meeting of June 23, 2014.  
                      Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Emery,  
                      Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook.

---

Teresa J. Meier, City Clerk

---

Amy Hana Huffman, Office Specialist