

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, JUNE 5, 2017 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Christensen; Council Members: Camp, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; City Clerk: Teresa Meier.

Council Chair Christensen 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 May 22, 2017, reported having done so, found same correct.

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

PUBLIC HEARING

APPOINTING BRICE MIDDLETON TO THE VETERANS MEMORIAL GARDEN ADVISORY COUNCIL FOR A TERM EXPIRING NOVEMBER 1, 2019 - Brice Middleton, 6725 Leesburg Court, applicant, came forward and requested approval.

This matter was taken under advisement.

APPLICATION OF NORTH WEST PIZZERIA, INC. DBA DELIZIOSO PIZZERIA FOR A CLASS C LIQUOR LICENSE AT 3001 NORTHWEST 12TH STREET;
MANAGER APPLICATION OF DUSHYANT A. PATEL FOR NORTH WEST PIZZERIA, INC. DBA DELIZIOSO PIZZERIA AT 3001 NORTHWEST 12TH STREET - Dushyant Patel, 3001 NW 12th Street, applicant, came forward to take the oath and requested approval.

This matter was taken under advisement.

APPLICATION OF MEIER'S WINE INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN INDOOR AREA MEASURING APPROXIMATELY 89 FEET BY 51 FEET AND AN OUTDOOR AREA MEASURING APPROXIMATELY 250 FEET BY 185 FEET AT SHELDON ART GALLERY AT 12TH AND R STREET ON JUNE 24, 2017 BETWEEN 5:00 P.M. AND MIDNIGHT - Kevin Meier, 1244 South Street, applicant, came forward and requested approval.

This matter was taken under advisement.

APPROVING AN AMENDED COOPERATIVE AGREEMENT BETWEEN THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ) AND THE CITY OF LINCOLN REGARDING AN INCREASE IN STATE OF NEBRASKA GRANT FUNDING FROM THE STORMWATER MANAGEMENT PLAN - Ben Higgins, Public Works, came forward and stated typically the City receives \$300,000.00 a year in grant funds from NDEQ, but this year the State cut it's budget because of the shortfall. After speaking with the Legislator and the Appropriation Committee, it was decided they would put some of the money back in the grant for the 2016 Stormwater Management Plan Program. We are receiving an increase in grant funding because of the Governors decision to increase the funds for that grant in the amount of \$146,497.00 for a total of \$311,225.00. This will pay for our erosion sediment control staff and educators, these positions are required as part of our Federal Stormwater Permit. Discussion followed.

Cyndi Lamm, Council Member, inquired how much of the \$300,00.00 we normally receive from NDEQ was included in the budget as revenue, and if the full amount of \$300,000.00 anticipated?

Mr. Higgins said yes we did anticipate the full amount. We have staff positions that are grant funded, so we were trying to make sure that we received this additional grant funding for those positions. Discussion followed.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 17001 – APPLICATION OF THE PUBLIC WORKS AND UTILITIES DIRECTOR TO AMEND THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN TO ADD THE “UPPER WAGON TRAIN WATERSHED MASTER PLAN” TO THE LIST OF SUB AREA PLANS IN THE PLAN REALIZATION CHAPTER OF THE COMPREHENSIVE PLAN, AND TO AMEND THE LINCOLN AREA AND LANCASTER COUNTY FUTURE LAND USE MAPS TO HAVE THE FUTURE LAND USE DESIGNATIONS BE CONSISTENT WITH THE PROPOSED FLOODPRONE AREA - Ben Higgins, Public Works, came forward and stated this is the 11th Drainage Master Plan, and we are currently working on three more. When these master plans are finished, we would have covered the entire City. This master plan is part of the Upper Wagon Train Coalition that is being developed for more housing. Since this area is outside of the regular basin area, it was discussed in 2006 as part of their agreement they would be bringing a sanitary sewer to this area. The agreement also stated a Watershed Master Plan needed to be done for this area by the developer. Public Works and NRD have both reviewed and approve the Watershed Master Plan. This plan provides detailed analysis for base flood

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elevations, as well as, addressing flood management, stormwater quality, detention requirements, stream bank stabilization, minimum stream corridors, preliminary sizing of hydraulic structures, and future land use. Although, it doesn't officially adopt the proposed flood prone areas, so we will be bringing this back to Council to adopt those flood prone areas. Discussion followed.

Carl Eskridge, Council Member, asked if the earlier the water is controlled upstream if it helps or makes a difference on everything downstream.

Mr. Higgins said yes. Discussion followed.

Leirion Gaylor Baird, Council Member, inquired if this bill is adopted, how will it affect operations going forward?

Mr. Higgins said it is used as a planning guide. This plan allows for the City to know where all of the stream quarters are, and which ones need to be left alone and kept natural. Discussion followed.

Mike Eckert, Civil Design Group, 8535 Executive Woods Dr., Suite 200, came forward representing the Coalition Members and requested approval. Discussion followed.

This matter was taken under advisement.

STREET & ALLEY VACATION 17003 – VACATING A PORTION OF THE SOUTH 16TH STREET RIGHT-OF-WAY DIRECTLY NORTH OF PINE LAKE ROAD - David Cary, Planning Director, came forward and stated the area to be vacated includes 2,442 square feet, and that this area is part of the Costco Development. The payment of \$1,500.00 for this property has been paid by the applicant. Planning does approve this vacation. Discussion followed.

This matter was taken under advisement.

COMP. PLAN CONFORMANCE 17007 – DECLARING APPROXIMATELY 24,686 SQUARE FEET OF PROPERTY GENERALLY LOCATED AT 7701 GREYCLIFF DRIVE AS SURPLUS PROPERTY - David Landis, Urban Development Director, came forward and stated the Planning Commission has agreed to the sale of this land, and it is in conformance with the Comprehensive Plan. This land consists of one large single-family lot and an outlot with a pedestrian sidewalk. Large portions of both lots have LES easements over them. Those portions would not be able to be developed but they could be used as a large yard area for one of the houses.

Leirion Gaylor Baird, Council Member, stated this land had initially been set aside for a potential new fire station location and inquired why this site was determined to not be the best site for it's construction, and if the money from the sale of this property would be put towards the new fire station?

Pat Borer, Lincoln Fire & Rescue, came forward saying there are several reasons this land was determined to not be a good viable location for a fire station. This property was deeded to LFR by LES so it is not a parcel of land that LFR went out to pursue. Since then, LFR has conducted a fire station needs and assessment study and picked another site that was more consistent with that study. Discussion followed.

Mr. Landis stated the funds from the sale of this property will go into land acquisition fund for the purchase of land. The Finance Department does keep a record of what department is responsible for the sale of land, although, that is not always a guarantee that the funds will go back to the original department. Discussion followed.

This matter was taken under advisement.

TEXT AMENDMENT 17004 – AMENDING CHAPTER 27.59 OF THE LINCOLN MUNICIPAL CODE RELATING TO AIRPORT ZONING REGULATIONS BY AMENDING SECTION 27.59.010 TO ADD DEFINITIONS FOR “SHADED AREAS” AND “FAA”; BY AMENDING SECTION 27.59.060 TO MODIFY REQUIREMENTS FOR HEIGHT PERMITS; BY ADDING A NEW SECTION NUMBERED 27.59.065 TO PROVIDE EXCEPTIONS TO REQUIRED HEIGHT PERMITS; ADDING A NEW SECTION NUMBERED 27.59.067 REGARDING NOTICE TO FAA OF CERTAIN CONSTRUCTION; ADOPTING A REVISED LINCOLN AIRPORT ZONING MAP; AND REPEALING SECTION 27.59.010 AND SECTION 27.59.060 AS HITHERTO EXISTING - DaNay Kalkowski, Seacrest & Kalkowski, 1128 Lincoln Mall, Suite 105, came forward on behalf of a group of two developers and the Home Builders Association of Lincoln (HBAL) stating with this text amendment, they are hoping to streamline the process for attaining height permits, while also trying to eliminate some unnecessary costs and steps for construction of residential homes. Under the current zoning ordinance, someone in this area would need to get a height permit for a cost of \$412.00. And once the home was constructed, they would then be required to have a survey done to prove the height of the building for an additional cost of \$400.00 to \$500.00 dollars. With this text amendment, it would take the pressure off the developer and the buyer to help keep housing affordable in all sectors of the city. This will also give developers, the City and the Airport Authority the ability to determine early in the process if there are some areas within a residential development that are at a low enough elevation they wouldn't need the individual permit or certification.

Jane Raybould, Council Member, inquired if this involves only residential homes for that area.

Ms. Kalkowski said yes.

Mike Eckert, Civil Design Group, 8535 Executive Woods Dr., Suite 200, came forward on behalf of Starostka - Lewis Development. They are the developers of Highland View and are in support of this text amendment. Discussion followed.

Jon Camp, Council Member, asked for clarification on the gray area shown on the map and who would still be required to get a permit and certification.

Mr. Eckert said if the property was in the gray areas they would still need to go through the entire process. The gray area is much smaller with this text amendment than it is without it. The Highland View Development is permitted for 460 homes and of those homes 100 to 150 would still need to get the height permit. Discussion followed.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

REAPPOINTING JIM JOHNSON AND LIZ BAVITZ TO THE HISTORIC PRESERVATION COMMISSION FOR TERMS EXPIRING APRIL 15, 2020 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90476 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the reappointments of Jim Johnson and Liz Bavitz to the Historic Preservation Commission, for terms expiring April 15, 2020, are hereby approved.

Introduced by Carl Eskridge

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

APPOINTING BRICE MIDDLETON TO THE VETERANS MEMORIAL GARDEN ADVISORY COUNCIL FOR A TERM EXPIRING NOVEMBER 1, 2019 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90477 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the appointment of Brice Middleton to the Veterans Memorial Garden Advisory Council, for a term expiring November 1, 2019, is hereby approved.

Introduced by Carl Eskridge

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

REAPPOINTING STEVEN EGGLAND AND JOHN NEAL TO THE TELECOMMUNICATIONS/CABLE TELEVISION ADVISORY BOARD FOR TERMS EXPIRING JULY 1, 2020 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90478 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the reappointments of Steven Egglan and John Neal to the Telecommunications/Cable Television Advisory Board, for terms expiring July 1, 2020, are hereby approved.

Introduced by Carl Eskridge

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, JUNE 26, 2017 AT 5:30 P.M. FOR BOARD OF EQUALIZATION MEETING SPECIAL ASSESSMENT GROUP II - WATER DISTRICT 1208 & WATER DISTRICT 1209 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-90479 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the City Clerk be and she is hereby instructed to give ten days' notice by publication according to law that the City Council will at a regular meeting on Monday, June 19, 2017, at 3:00 p.m., assess the improvements in the following special assessment districts:

Water District No. 1208 - 26th Street between H and J Streets

Water District No. 1209 - C Street between 1st and 2nd Streets

BE IT FURTHER RESOLVED that the City Council will sit as a Board of Equalization for the purpose of distributing said tax and equalizing said assessments on Monday, June 26, 2017, at 5:30 p.m. with adjournments from day to day until said work of equalizing such assessments are completed.

Introduced by Leirion Gaylor Baird

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

LINCOLN ELECTRIC SYSTEM FINANCIAL & OPERATING STATEMENT FOR APRIL, 2017- CLERK presented said report which was placed on file in the Office of the City Clerk. **(40)**

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION A-90646 PASSED BY CITY COUNCIL ON MAY 15, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(27-1)**

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY COUNCIL ON MAY 15, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(27-1)**

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CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY COUNCIL ON MAY 22, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, JUNE 19, 2017 AT 3 P.M. ON THE APPLICATION OF ASIAN FUSION NE INC DBA ASIAN FUSION FOR A CLASS I LIQUOR LICENSE AT 2840 JAMIE LANE - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption for approval:

A-90480 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, June 19, 2017, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Asian Fusion Ne Inc dba Asian Fusion for a Class I Liquor License at 2840 Jamie Lane.

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 Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, JUNE 19, 2017 AT 3 P.M. ON THE APPLICATION OF ICHIBAN SICHUAN HAYMARKET LLC DBA ICHIBAN SICHUAN FOR A CLASS I LIQUOR LICENSE AT 151 NORTH 8TH STREET, SUITE 100 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption for approval:

A-90481 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, June 19, 2017, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Ichiban Sichuan Haymarket LLC dba Ichiban Sichuan for a Class I Liquor License at 151 North 8th Street, Suite 100.

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 Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

SETTING THE HEARING DATE OF MONDAY, JUNE 19, 2017 AT 3 P.M. ON THE APPLICATION OF KOREA HOUSE LLC DBA KOREA HOUSE FOR A CLASS I LIQUOR LICENSE AT 5601 SOUTH 56TH STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption for approval:

A-90482 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, June 19, 2017, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Korea House LLC dba Korea House for a Class I Liquor License at 5601 South 56th Street.

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 Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

THE FOLLOWING WERE REFERRED TO THE PLANNING DEPT.:

Change Of Zone No. 17007 – Requested by Seacrest & Kalkowski, PC, LLC, from R-2 (Residential District) to R-T (Residential Transition District), to allow for future office uses, on property generally located at 5633 N Street, 205 S. Cotner Boulevard, and 215 S. Cotner Boulevard.

Special Permit No. 13055A – Requested by BVH Architecture, amending Special Permit No. 13055 to add a height waiver and clarify the alley paving requirement, on property generally located at 1245 South Folsom Street.

Special Permit No. 17014 – Requested by Burt Family Bar-B-Que, LLC, to allow the sale of alcohol for consumption on the premises, on property generally located at 101 SW 14th Place.

LIQUOR RESOLUTIONS

APPLICATION OF NORTH WEST PIZZERIA, INC. DBA DELIZIOSO PIZZERIA FOR A CLASS C LIQUOR LICENSE AT 3001 NORTHWEST 12TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90483 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 North West Pizzeria, Inc. dba Delizioso Pizzeria for a Class "C" liquor license at 3001 Northwest 12th Street, Lincoln, Nebraska, for the license period ending October 31, 2017, 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 Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

MANAGER APPLICATION OF DUSHYANT A. PATEL FOR NORTH WEST PIZZERIA, INC. DBA DELIZIOSO PIZZERIA AT 3001 NORTHWEST 12TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90484 WHEREAS, North West Pizzeria, Inc. dba Delizioso Pizzeria located at 3001 Northwest 12th Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Dushyant A. Patel be named manager;

WHEREAS, Dushyant A. Patel 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 Dushyant A. Patel 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 Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

APPLICATION OF MEIER'S WINE INC. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN INDOOR AREA MEASURING APPROXIMATELY 89 FEET BY 51 FEET AND AN OUTDOOR AREA MEASURING APPROXIMATELY 250 FEET BY 185 FEET AT SHELDON ART GALLERY AT 12TH AND R STREET ON JUNE 24, 2017 BETWEEN 5:00 P.M. AND MIDNIGHT - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90485 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 Meier's Wine Inc. for a special designated license to cover an indoor area measuring approximately 89 feet by 51 feet and an outdoor area measuring approximately 250 feet by 185 feet at Sheldon Art Gallery at 12th and R Street, Lincoln, Nebraska, on June 24, 2017, between the hours of 5:00 p.m. and midnight, 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 Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

PUBLIC HEARING - RESOLUTIONS

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF MAY 1-15, 2017 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90486 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 May 16, 2017, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the 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>	
David Hertzelt o/b/o		Charles Hruby	\$ 901.07
Robert Hertzelt	\$ 128.00	Chase Janssen & Herman Janssen	3,725.00
Imad Mohammed	45,000.00		
Mohammed Abdulelah	20,000.00		
Omar Abdulelah	20,000.00		

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 Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

APPROVING AN AMENDED COOPERATIVE AGREEMENT BETWEEN THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY (NDEQ) AND THE CITY OF LINCOLN REGARDING AN INCREASE IN STATE OF NEBRASKA GRANT FUNDING FROM THE STORMWATER MANAGEMENT PLAN - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90487 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached amended Cooperative Agreement to Resolution No. A-90154 between the City of Lincoln and the Nebraska Department of Environmental Quality (NDEQ) regarding grant funding from the Stormwater Management Plan Program, upon the terms and conditions as set forth in said amended Agreement, is hereby approved and the Mayor is authorized to execute said amended Agreement on behalf of the City. This amended Agreement provides for an increase in NDEQ grant funding to implement programs and projects in association with the City of Lincoln's Stormwater Management Program.

The City Clerk is directed to transmit an executed original amended Agreement to Ben Higgins, Public Works and Utilities Department, 555 South 10th Street, for transmittal to the Nebraska Department of Environmental Quality.

Introduced by Carl Eskridge

Seconded by Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

COMP. PLAN AMENDMENT 17001 – APPLICATION OF THE PUBLIC WORKS AND UTILITIES DIRECTOR TO AMEND THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN TO ADD THE “UPPER WAGON TRAIN WATERSHED MASTER PLAN” TO THE LIST OF SUB AREA PLANS IN THE PLAN REALIZATION CHAPTER OF THE COMPREHENSIVE PLAN, AND TO AMEND THE LINCOLN AREA AND LANCASTER COUNTY FUTURE LAND USE MAPS TO HAVE THE FUTURE LAND USE DESIGNATIONS BE CONSISTENT WITH THE PROPOSED FLOODPRONE AREA - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90488 WHEREAS, the Planning Director has made application to amend the 2040 Lincoln-Lancaster County Comprehensive Plan to add the “Upper Wagon Train Watershed Master Plan”, an Executive Summary of which is attached hereto marked as Attachment “A”, to the list of sub area plans in the Plan Realization Section of the Comprehensive Plan, and to amend the Lincoln Area and Lancaster County Future Land Use Maps to have the future land use designations be consistent with the Proposed Floodprone Area; and WHEREAS, the Lincoln City-Lancaster County Planning Commission has recommended approval thereof.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that the 2040 Lincoln-Lancaster County Comprehensive Plan be and the same is hereby amended in the following manner:

1. The “Upper Wagon Train Watershed Master Plan” on file in the office of the Planning Director and made a part hereof by reference, is hereby added to the list of sub area plans on page 12.16 in the Plan Realization Chapter of the Comprehensive Plan

2. Amend the Lancaster County Future Land Use Maps 1.1 and 12.1 on pages 1.8 and 12.2 respectively and the Lincoln Area Future Land Use Maps 1.2 and 12.2 on pages 1.9 and 12.3 respectively to adopt the future land use changes shown on page 2-4 of the Upper Wagon Train Watershed Master Plan attached hereto as Attachment “B” to make the future land use designations in the Plan consistent with the Proposed Floodprone Area.

BE IT FURTHER RESOLVED that any other references in said plan which may be affected by the above-specified amendment be, and they hereby are amended to conform with such specific amendment.

Introduced by Carl Eskridge

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

PUBLIC HEARING ORDINANCES - 2ND READING & RELATED RESOLUTIONS

STREET & ALLEY VACATION 17003 – VACATING A PORTION OF THE SOUTH 16TH STREET RIGHT-OF-WAY DIRECTLY NORTH OF PINE LAKE ROAD - CLERK read an ordinance, introduced by Carl Eskridge, vacating a portion of South 16th Street right-of-way directly north of Pine Lake Road, located in the Northwest Quarter of Section 24, Township 9 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

COMP. PLAN CONFORMANCE 17007 – DECLARING APPROXIMATELY 24,686 SQUARE FEET OF PROPERTY GENERALLY LOCATED AT 7701 GREYCLIFF DRIVE AS SURPLUS PROPERTY - CLERK read an ordinance, introduced by Carl Eskridge, declaring approximately 24,686 square feet of City owned property generally located at 7701 Greycliff Drive as surplus, the second time.

PUBLIC HEARING - ORDINANCE - 3RD READING

TEXT AMENDMENT 17004 – AMENDING CHAPTER 27.59 OF THE LINCOLN MUNICIPAL CODE RELATING TO AIRPORT ZONING REGULATIONS BY AMENDING SECTION 27.59.010 TO ADD DEFINITIONS FOR “SHADED AREAS” AND “FAA”; BY AMENDING SECTION 27.59.060 TO MODIFY REQUIREMENTS FOR HEIGHT PERMITS; BY ADDING A NEW SECTION NUMBERED 27.59.065 TO PROVIDE EXCEPTIONS TO REQUIRED HEIGHT PERMITS; ADDING A NEW SECTION NUMBERED 27.59.067 REGARDING NOTICE TO FAA OF CERTAIN CONSTRUCTION; ADOPTING A REVISED LINCOLN AIRPORT ZONING MAP; AND REPEALING SECTION 27.59.010 AND SECTION 27.59.060 AS HITHERTO EXISTING - PRIOR to reading:

CAMP Moved to delay Action on Bill No. 17-67 for 2 weeks to 6/19/17.
Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

CLERK Read an ordinance, introduced by Jon Camp, amending Chapter 27.59 of the Lincoln Municipal Code relating to Airport Zoning Regulations by amending Section 27.59.010 to add definitions for “Shaded Areas” and “FAA”; by amending Section 27.59.060 to modify requirements for height permits; by adding a new section numbered 27.59.065 to provide exceptions to required height permits; adding a new section numbered 27.59.067 regarding notice to FAA of certain construction; adopting a revised Lincoln Airport Zoning Map; and repealing Section 27.59.010 and Section 27.59.060 as hitherto existing, the third time.

ORDINANCES - 3RD READING & RELATED RESOLUTIONS

APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF LINCOLN AND VERIZON WIRELESS FOR THE PLACEMENT OF TELECOMMUNICATIONS FACILITIES UPON CITY PROPERTY GENERALLY LOCATED AT 3403 WEST VAN DORN STREET - CLERK read an ordinance, introduced by Jon Camp, accepting and approving the License Agreements between the City of Lincoln, Nebraska, a municipal corporation, and Verizon Wireless (VAW) LLC d/b/a Verizon Wireless for the placement of telecommunications facilities upon City property located at 3403 West Van Dorn Street and authorizing the Mayor to sign such License Agreement on behalf of the City, the third time

CAMP Moved to pass the ordinance as read.
Seconded by Shobe & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.
The ordinance, being numbered #20499, is recorded in Ordinance Book 32.

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE NEBRASKA INNOVATION CAMPUS (NIC) PHASE II REDEVELOPMENT PROJECT - CLERK read an ordinance, introduced by Jon Camp, 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 \$3,116,291.00 for the purpose of (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain property and improvements within the City’s NIC Phase II Redevelopment Project Area, 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.

CAMP Moved to pass the ordinance as read.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.
The ordinance, being numbered #20500, is recorded in Ordinance Book 32.

RESOLUTIONS - 1ST READING

APPOINTING LISA R. HALE TO THE LINCOLN CITY LIBRARY BOARD FOR A TERM EXPIRING AUGUST 31, 2021. (CONSENT)

REAPPOINTING VANCE BEHRENS AND JAMES LANGE TO THE BUILDING CODE BOARD OF APPEALS FOR TERMS EXPIRING APRIL 1, 2020. (CONSENT)

REAPPOINTING JACQUELYN MILLER TO THE LINCOLN-LANCASTER COUNTY BOARD OF HEALTH FOR A TERM EXPIRING APRIL 15, 2020. (CONSENT)

REAPPOINTING BILL AVERY TO THE LINCOLN-LANCASTER COUNTY BOARD OF HEALTH FOR A TERM EXPIRING JANUARY 1, 2020. (CONSENT)

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APPOINTING BENNIE SHOBE TO THE MULTICULTURAL ADVISORY COMMITTEE FOR A TERM EXPIRING MAY 31, 2020. *(CONSENT)*

REAPPOINTING CYNDI LAMM AND JANE RAYBOULD TO THE CITY PERFORMANCE AUDIT COMMITTEE FOR TERMS EXPIRING MAY 31, 2019. *(CONSENT)*

APPOINTING BENNIE SHOBE TO THE CITY PERFORMANCE AUDIT COMMITTEE FOR A TERM EXPIRING MAY 31, 2019. *(CONSENT)*

REAPPOINTING CYNDI LAMM, ROY CHRISTENSEN, AND JANE RAYBOULD TO THE RAILROAD TRANSPORTATION SAFETY DISTRICT FOR TERMS EXPIRING MAY 31, 2018. *(CONSENT)*

APPOINTING BENNIE SHOBE TO THE LINCOLN-LANCASTER COUNTY BOARD OF HEALTH FOR A TERM EXPIRING MAY 31, 2020. *(CONSENT)*

REAPPOINTING LEIRION GAYLOR BAIRD TO THE JOINT BUDGET COMMITTEE FOR A TERM EXPIRING MAY 31, 2019. *(CONSENT)*

APPOINTING LEIRION GAYLOR BAIRD TO THE PARKS AND RECREATION ADVISORY BOARD FOR A TERM EXPIRING MAY 31, 2018. *(CONSENT)*

APPOINTING CYNDI LAMM TO THE TELECOMMUNICATION/CABLE TELEVISION ADVISORY BOARD FOR A TERM EXPIRING JULY 1, 2018. *(CONSENT)*

APPROVING AN INTERLOCAL AGREEMENT BETWEEN LINCOLN POLICE DEPARTMENT AND NEBRASKA STATE PATROL TO CONTINUE NSP'S PARTICIPATION IN THE LINCOLN-LANCASTER COUNTY NARCOTICS TASK FORCE. *(CONSENT)*

APPROVING A PROGRAM SERVICES AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND THE NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE EVERY WOMEN MATTERS PROGRAM FOR A TERM OF JULY 1, 2017 THROUGH JUNE 30, 2022. *(CONSENT)*

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, 2017.

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY, LANCASTER COUNTY, AND SAUNDERS COUNTY FOR THE DEVELOPMENT OF A LOCAL WORKFORCE INVESTMENT SYSTEM.

AUTHORIZING A TRANSFER OF APPROPRIATIONS IN THE AMOUNT OF \$25,000 FROM MISCELLANEOUS BUDGET/CONTINGENCY TO GENERAL EXPENSE TO SPONSOR THE NEBRASKA 150TH CELEBRATION.

TEXT AMENDMENT 17006 – AMENDING TITLE 3 DESIGN STANDARDS FOR ZONING REGULATIONS BY REPEALING CHAPTER 3.05 GENERAL REQUIREMENTS FOR SUBMISSION OF AN ENVIRONMENTAL IMPACT STATEMENT FOR B-5 PLANNED REGIONAL BUSINESS DISTRICT; BY REPEALING CHAPTER 3.15 STANDARDS FOR BANKS AND OTHER FINANCIAL INSTITUTIONS DRIVE-IN TELLER FACILITIES IN THE O-1 DISTRICT; AND BY REPEALING CHAPTER 3.20 SIGNAGE FOR HISTORIC BUILDING REUSE BY SPECIAL PERMIT; BY REPEALING CHAPTER 3.25 STANDARDS FOR EXCEEDING MAXIMUM HEIGHT BY SPECIAL PERMIT (SECTION 27.63.220 – CHURCH STEEPLES, TOWERS, ORNAMENTAL SPIRES AND SECTION 27.63.250 – PERMITTED USE); BY REPEALING CHAPTER 3.60 DESIGN STANDARDS FOR CONSTRUCTION, DEVELOPMENT AND MAINTENANCE OF PARK LAND; AND BY REPEALING CHAPTER 3.80 TECHNOLOGY PARK DESIGN STANDARDS IN THEIR ENTIRETY AS SAID DESIGN STANDARDS ARE NOT NEEDED, NOR USED; AND AMENDING SECTION 7.1 PARKING LOTS, PARKING AREAS, AND DRIVING AISLES OF CHAPTER 3.50 DESIGN STANDARDS FOR SCREENING AND LANDSCAPING TO GRANT AN EXCEPTION FROM THE REQUIRED SCREENING ALONG THE PUBLIC RIGHT-OF-WAY WHEN THE PARKING AREA AND DRIVING AISLES ARE SET BACK 100 FEET OR MORE FROM THE NEAREST PUBLIC RIGHT-OF-WAY - PRIOR to reading:

GAYLOR BAIRD Moved to continue Public Hearing on Bill No. 17R-148 for 2 weeks to 6/19/17.

Seconded by Shobe & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (AS REQUIRED)

APPROVING A STARTRAN TRANSPORTATION AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE UNIVERSITY OF NEBRASKA-LINCOLN FOR THE ROUTE #24-HOLDREGE AND ROUTE #25-VINE INTER-CAMPUS BUS SERVICE ROUTE FOR A FIVE YEAR TERM - CLERK read an ordinance, introduced by Leirion Gaylor Baird, whereas, StarTran has provided bus service (Route #24 – Holdrege and Route #25 - Vine) to the University of Nebraska - Lincoln in conjunction with the UNL Transportation Program since 1994, the first time.

ORDINANCE TO READOPT ORDINANCE NO. 20304 ADOPTED ON MARCH 14, 2016 RELATING TO TEXT AMENDMENT 16001 – AMENDING CHAPTER 27.59 OF THE LINCOLN MUNICIPAL CODE RELATING TO AIRPORT ZONING REGULATIONS TO EXTEND THE APPROACH ZONE FROM 3 MILES TO A NEW LIMIT OF 10 MILES, ESTABLISH THE AREA INCLUDED WITHIN THE AIRPORT HAZARD AREA, REVISE EXISTING DEFINITIONS AND ADD NEW DEFINITIONS, AND OTHER CHANGES TO BE IN ACCORDANCE WITH THE PASSAGE OF NEBRASKA LEGISLATIVE BILL (LB) 140, AND REPEALING SECTIONS 27.59.010 THROUGH 27.59.040, 27.589.060 THROUGH 27.59.090, 27.59.120, 27.59.140, AND 27.59.150 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Leirion Gaylor Baird, to readopt Ordinance No. 20304 adopted by the City Council on March 14, 2016 amending Chapter 27.59 of the Lincoln Municipal Code relating to Airport Zoning Regulations by amending Section 27.59.010 to revise existing definitions and add new definitions; amending Section 27.59.020 relating to location and boundaries by establishing the area included within the airport hazard area; amending Section 27.59.030 to establish and revise descriptions for the approach zones, the operation zones, the transition zones, and the turning zones; amending Section 27.59.040 relating to the height restrictions to revise language and change references; amending 27.59.060 requiring height permits within the airport hazard area under certain circumstances, and prohibiting the issuance of a height permit for structures or appurtenances that exceed the height restrictions as established by Chapter 27.59; amending Section 27.59.070 relating to airport hazards; amending Section 27.59.080 relating to nonconforming height; amending Section 27.59.090 relating to administration; amending Section 27.59.110 relating to powers of the Board of Zoning Appeals by increasing the number of votes required for action to four (4); amending Section 27.59.120 relating to the Airport Zoning Commission by updating statutory references; amending Section 27.59.140 relating to appeals from the Board of Zoning Appeals by updating statutory references; amending Section 27.59.150 relating to penalties for violations by deleting references to imprisonment and increasing the maximum fine to \$500.00; adopting a revised Lincoln Airport Zoning Map; and repealing Sections 27.59.010, 27.59.020, 27.59.030, 27.59.040, 27.59.060, 27.59.070, 27.59.080, 27.59.090, 27.59.110, 27.59.120, 27.59.140, and 27.59.150 as hitherto existing, the first time.

TEXT AMENDMENT 17006 – AMENDING THE LINCOLN MUNICIPAL CODE RELATING TO THE LAND SUBDIVISION ORDINANCE (TITLE 26) AND THE ZONING ORDINANCE (TITLE 27) TO MAKE REVISIONS THAT HAVE BEEN COLLECTED BY CITY STAFF OVER THE PAST SEVERAL YEARS AND RANGE FROM CORRECTION OF MINOR ERRORS, TO DELETION OF OBSOLETE PROVISIONS, TO MORE SUBSTANTIVE CHANGES THAT IMPROVE THE APPROVAL PROCESS FOR CITY STAFF AND THE PUBLIC AND ELIMINATE BURDENSOME REQUIREMENTS BY REPEALING SECTION 27.63.140, BY AMENDING SECTIONS 26.11.036, 26.11.037, 26.15.015, 26.15.020, 26.19.020, 26.19.041, 26.23.140, 27.06.020, 27.06.120, 27.06.130, 27.06.150, 27.07.030, 27.51.030, 27.62.030, 27.62.090, 27.62.100, 27.62.120, 27.63.025, 27.63.180, 27.63.500, 27.63.510, 27.63.570, 27.64.010, 27.65.020, 27.67.040, 27.69.030, 27.69.090, 27.72.010, 27.72.020, 27.75.030, 27.81.010, AND 27.81.050 AND TO REPEAL SAID SECTIONS AS HITHERTO EXISTING - PRIOR TO reading:

GAYLOR BAIRD Moved to continue Public Hearing on Bill No. 17-74 for 2 weeks to 6/19/17.

Seconded by Shobe & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

CLERK Read an ordinance, introduced by Leirion Gaylor Baird, amending the Lincoln Municipal Code relating to the Land Subdivision Ordinance (Title 26) and the Zoning Ordinance (Title 27) to (A) amend the Land Subdivision Ordinance by amending Section 26.11.036 to modify the latest date the required notice of a public hearing on a preliminary plat is to be printed in a daily newspaper from at least 8 days to 5 days prior to the date of the hearing; by amending Section 26.11.037 to provide that notice of appeal from any action on a preliminary plat by the Planning Commission be filed with the Planning Director rather than the City Clerk; by amending Sections 26.15.015 and 26.15.020 to delete obsolete provisions pertaining to information to be included in preliminary plats submitted before March 1, 2000; by amending Section 26.19.020 to require a lien holder's acknowledgment and consent to the owner's offer of dedication in a final plat; by amending Section 26.19.041 to make references to a surveyor gender neutral; by amending Section 26.23.140 to delete the reference in Section 27.15.080 to a Table which no longer exists; and to provide additional requirements regarding when residential lots may front upon a private roadway or permanent public access easement; to (B) amend the Zoning Ordinance by amending Section 27.06.020 to allow the use of private driveways or access easements in any zoning district to provide ingress and egress to a premises located in a more restrictive zoning district, except that such use may not be located in a residential district unless such use of the residential district is approved through a community unit plan or planned unit development; by amending Section 27.06.120 to designate all use types listed in the Office Use Group Table as a conditional use in the I-3 zoning district; by amending Section 27.06.130 to designate retail sale in the Retail Sales and Services Use Group Table as a conditional use in the I-3 zoning district; by amending the Commercial Recreation and Entertainment Facilities

Use Group Table in Section 27.06.150 to designate any use granted an amusement license as a conditional use in the AG Agricultural District; by amending Section 27.07.030 relating to permitted conditional uses in the AG Agricultural District to delete the provision that any use that the Lancaster County Board of Commissioners has approved by the granting of an amusement license shall be allowed as a permitted conditional use in the AG Agricultural District; by amending Section 27.51.030 by amending the Specific Use Regulations in the I-3 district to delete conditions for retail and office use more appropriately located in Chapter 27.62 – Conditional Uses; by amending Section 27.62.030 to provide that urban gardens as a conditional use in the Agricultural Use Group may have plants and accessory items for cultivation located in the front yard, but not structures; by amending Section 27.62.090 to provide that offices are a conditional use in the I-3 District and to provide conditions for such office uses; by amending Section 27.62.100 to provide additional conditions for retail use and office use in the I-3 district; by amending Section 27.62.120 to designate any use that the Lancaster County Board of Commissioners has approved by the granting of an amusement license as a permitted conditional use in the Commercial Recreation and Entertainment Facilities Use Group Table; by amending Section 27.63.025 to provide that notice of appeal from any action on a Special Permit by the Planning Commission be filed with the Planning Director rather than the City Clerk; repealing Section 27.63.140 to delete outdoor lighting for recreational facilities as a special permitted use; by amending Section 27.63.180 to change the name of the term “motor fuel sales facilities” to “motorized vehicle fuel sales facilities” and to change the name of the term “car washes” to “motorized vehicle wash facilities”; by amending Section 27.63.500 to revise the geographical description of certain entrance corridors from which salvage and recycling material kept outside of a building must have a setback of 500 feet; by amending Section 27.63.510 to add mausoleums as a special permitted use in the R-1 through R-8, H-1 through H-4, and B-1, B-2, and B-3 districts; by amending Section 27.63.570 to change incorrect abbreviations of the Day Night Average Sound Level (DNL) from Ldn to DNL; by amending Section 27.64.010 to provide that notice of appeal from any action on a use permit by the Planning Commission be filed with the Planning Director rather than the City Clerk; by amending Section 27.65.020 to provide that in a community unit plan proposed in the BTA Overlay District with underlying AG zoning created lots that are less than five acres in size shall comply with the maximum height and minimum lot requirements of the AGR district and to delete the reduced maximum allowed density for community unit plans on small tracts of land; by amending Section 27.67.040 to reduce the required parking for sale of alcoholic beverages for consumption on the premises in the B-1 and B-3 districts from one space per 100 square feet of floor area to one space per 200 square feet of floor area; by amending Section 27.69.030 to allow more than one wall sign per architectural elevation per building and to provide that the total square footage of all wall signs in the R-T, O-1, and O-2 districts per architectural elevation shall not exceed 25% of the total square footage of said architectural elevation; by amending Section 27.69.090 to clarify which street frontage the location of a wall sign is measured from; by amending Section 27.72.010 to clarify minimum lot requirements for nonstandard lots legally in existence as of May 9, 1979 and for small lots legally created thereafter, to eliminate the doctrine of merger of nonstandard lots to create a more conforming lot, and to allow certain uses of a lawful lot which is nonconforming with respect to frontage in the AGR district; by amending Section 27.72.020 to eliminate the exceptions in Table 27.72.020(b) providing additional side and rear yards requirements in the R-7 district for buildings over 35 feet in height and providing additional side yard requirements in the R-8 district for buildings over 45 feet in height; by amending Section 27.75.030 to increase the time allowed to file a notice of appeal to the Board of Zoning Appeals from 60 to 90 days; by amending Section 27.81.010 to add a reference in Subsection (e) to Chapter 27.06 and delete a reference to a non-existent Chapter 27.71; by amending Section 27.81.050 to modify the latest date required notice of a public hearing must be printed in a daily newspaper for public hearings to be held by the City Council, Planning Commission, Historic Preservation Commission, or Board of Zoning Appeals from at least 8 days to 5 days before the date of the hearing; and to repeal Sections 26.11.036, 26.11.037, 26.15.015, 26.15.020, 26.19.020, 26.19.041, 27.06.020, 27.06.120, 27.06.130, 27.06.150, 27.07.030, 27.51.030, 27.62.030, 27.62.090, 27.62.100, 27.62.120, 27.63.025, 27.63.180, 27.63.500, 27.63.510, 27.63.570, 27.64.010, 27.65.020, 27.67.040, 27.69.030, 27.69.090, 27.72.010, 27.72.020, 27.75.030, 27.81.010, and 27.81.050 as hitherto existing, the first time.

CHANGE OF ZONE 17009 – APPLICATION OF RYAN OMEL FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO AGR AGRICULTURAL RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTHWEST 27TH STREET AND ROXBURY LANE - PRIOR to reading:
GAYLOR BAIRD Moved to continue Public Hearing on Bill No. 17-75 for 2 weeks to 6/19/17.

Seconded by Shobe & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

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.

CHANGE OF ZONE 3134E – APPLICATION OF LUCILE PARK, LLC TO AMEND THE WILLOW SPRINGS PLANNED UNIT DEVELOPMENT, TO ADJUST THE SETBACKS AT THE PERIMETER OF THE PUD TO ACCOMMODATE AN OFFICE BUILDING WITH A DRIVE-THROUGH FACILITY, ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF LUCILE DRIVE AND PIONEERS BOULEVARD - PRIOR to reading:

GAYLOR BAIRD Moved to continue Public Hearing on Bill No. 17-76 for 2 weeks to 6/19/17.

Seconded by Shobe & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

CLERK Read an ordinance, introduced by Leirion Gaylor Baird, amending the Development Plan for Willow Springs Planned Unit Development to include property generally located at Pioneers Boulevard and Lucille Drive, and legally described as, the first time.

TEXT AMENDMENT 17010 – AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE (“ZONING CODE”) BY AMENDING SECTION 27.02.040 TO DELETE THE DEFINITION OF COMMERCIAL SOLAR ENERGY CONVERSION SYSTEM; BY AMENDING SECTION 27.02.200 TO ADD DEFINITIONS FOR SOLAR ENERGY CONVERSION SYSTEM LARGE AND SOLAR ENERGY CONVERSION SYSTEM SMALL; BY AMENDING SECTION 27.06.090 TO AMEND THE UTILITY USE GROUP TABLE TO STRIKE COMMERCIAL SOLAR ENERGY CONVERSION SYSTEM AS A LISTED USE TYPE, TO ADD SOLAR ENERGY CONVERSION SYSTEM (LARGE) AS A LISTED USE TYPE ALLOWED BY SPECIAL PERMIT IN THE AG DISTRICT AND AS A PERMITTED USE IN THE H-2 THROUGH H-4 AND I-1 THROUGH I-3 DISTRICTS, AND TO ADD SOLAR ENERGY CONVERSION SYSTEM (SMALL) AS A LISTED USE TYPE ALLOWED BY SPECIAL PERMIT IN THE AGR, R-1 THROUGH R-8, O-1 THROUGH O-3, AND RT DISTRICTS AND AS A PERMITTED USE IN ALL OTHER DISTRICTS; BY AMENDING SECTION 27.63.830 TO ALLOW LARGE SOLAR ENERGY CONVERSION SYSTEM AS A PERMITTED SPECIAL USE IN THE AG DISTRICT AND TO ALLOW SMALL SOLAR ENERGY CONVERSION SYSTEM AS A SPECIAL PERMITTED USE IN THE AGR, R-1 THROUGH R-8, O-1 THROUGH O-3, AND RT DISTRICTS AND TO PROVIDE CONDITIONS FOR SUCH USES; AND REPEALING SECTIONS 27.02.040, 27.02.200, 27.06.090, AND 27.63.830 AS HITHERTO EXISTING - PRIOR to reading:

GAYLOR BAIRD Moved to continue Public Hearing on Bill No. 17-77 for 2 weeks to 6/19/17.

Seconded by Shobe & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

CLERK Read an ordinance, introduced by Leirion Gaylor Baird, amending Title 27 of the Lincoln Municipal Code (“Zoning Code”) by amending Section 27.02.040 to delete the definition of Commercial Solar Energy Conversion System; by amending Section 27.02.200 to add definitions for Solar Energy Conversion System Large and Solar Energy Conversion System Small; by amending Section 27.06.090 to amend the Utility Use Group Table to strike Commercial Solar Energy Conversion System as a listed use type, to add Solar Energy Conversion System (Large) as a listed use type allowed by Special Permit in the AG District and as a permitted use in the H-2 through H-4 and I-1 through I-3 districts, and to add Solar Energy Conversion System (Small) as a listed use type allowed by Special Permit in the AGR, R-1 through R-8, O-1 through O-3, and RT districts and as a permitted use in all other districts; by amending Section 27.63.830 to allow Large Solar Energy Conversion System as a permitted special use in the AG district and to allow Small Solar Energy Conversion System as a special permitted use in the AGR, R-1 through R-8, O-1 through O-3, and RT districts and to provide conditions for such uses; and repealing Sections 27.02.040, 27.02.200, 27.06.090, and 27.63.830 as hitherto existing, the first time.

ADJOURNMENT

3:59 P.M.

RAYBOULD Moved to adjourn the City Council Meeting of June 5, 2017.

Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

Teresa Meier, City Clerk

Rhonda M. Bice, Office Specialist

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