The meeting was called to order at 11:00 a.m.

#1, 2, & 3 Mr. Eric Englund, Manager of Current Planning, discussed the details and some of the conditions of approval. Mr. Englund advised that these three cases would be on the Administrative Only portion of the agenda. He stated that the department recommended approval of all three cases.

#4 Mr. Eric Englund, Manager of Current Planning, reminded the Board of some of the details of this case which had been held over from the December, 2018 Planning Board meeting. Mr. Englund advised that the applicant had provided plans that showed some effort to address the concerns but, due to the size of the property, it would be very difficult to come up with a plan which would be even close enough to code compliant that it could be handled with a waiver. Mr. Englund stated that the department recommended denial of the request.

#5 & 6 Mr. Eric Englund, Manager, Current Planning, explained that both of these cases were to dispose of surplus City property for the development of single family homes. He stated that the properties on case #5 would be disposed of to the Omaha Municipal Land Bank. The properties on case #6 would be disposed of to Gesu Housing. Mr. Englund stated that the department recommended approval of both cases.

#8 & 13 Mr. Eric Englund stated that these two cases were related. He explained that this project would be completed in phases, some of which were being delayed due to the planned widening of 180th Street. He stated that the department recommended approval of all but the final plat. He stated that the department recommended laying over the final plat.

#9 & 14 Mr. Eric Englund stated that these two cases were related to each other and also to a TIF case heard at the January, 2019 meeting. He stated that both cases are on the Consent Agenda for approval. He advised that if someone wishes to remove one of the cases from Consent, both of the cases should be removed.

Mr. Englund provided a brief description of the remaining cases and answered questions from the Board members as well as discussing the recommendations of the Planning Department for each case.

The pre-meeting of the Planning Board adjourned at approximately 1:00 p.m.
MINUTES
OMAHA CITY PLANNING BOARD – February 6, 2019
PLANNING DEPARTMENT CENTRAL CONFERENCE ROOM - OMAHA/DOUGLAS CIVIC CENTER
1819 FARNAM STREET

Certification of Publication: Planning Board Administrator certifies publication of this agenda in the Daily Record, the official newspaper of the City of Omaha on Monday, January 28, 2019.

MEMBERS PRESENT: Greg Rosenbaum, Chairman
Kristine Karnes, Vice Chair
David Rosacker
Trenton Magid
Michael Pate
Patrick Morris

MEMBERS NOT PRESENT: Jeffrey Moore

STAFF PRESENT: Dave Fanslau, Director
Cheri Rockwell, Assistant Director
Eric Englund, Current Planning Manager
Michael Carter, Planning Board Administrator
Alan Thelan, Law Department
Lisa Agans, Recording Secretary

Greg Rosenbaum, Chairperson, called the meeting to order, introduced the Planning Board members as well as the Planning Department staff, and explained the Planning Board’s public hearing procedures.

PUBLIC HEARING AND ADMINISTRATIVE MEETING

The requests listed below were voted on concurrently in accordance with the Planning Department’s recommendation report.

No one appeared in opposition.

Subdivisions

<table>
<thead>
<tr>
<th>Request</th>
<th>Location</th>
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<tbody>
<tr>
<td>C12-19-025  <strong>(D-APPROVAL)</strong> Clarity Development Company</td>
<td>1301 South 12th Street</td>
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REQUEST: Preliminary and Final Plat approval of SOUTH HILL ADDITION, a minor plat inside the city limits, with a waiver of Section 53-8(4)(a) Lot depth.

At the Planning Board meeting held February 6, 2019, this case was placed on the Consent Agenda. Mr. Rosacker moved for approval of the waiver to Chapter 53-8(4)(a), lot depth, and approval of the preliminary plat, subject to the following conditions:

1. Revise the plat document to reflect the correct legal description.
2. Provide a fair market value payment for the land in the proposed right-of-way vacation.
3. Construct sanitary sewer in Outlot A as a public improvement, subject to the Omaha Public Works design review and approval process.
4. Compliance with all stormwater management ordinances and policies.
5. Provide for the use, ownership, and maintenance of the outlot in the subdivision agreement.

In addition, Mr. Rosacker moved for approval of the final plat, subject to the conditions of the preliminary plat and submittal of an acceptable final subdivision agreement prior to forwarding the request to City Council. Mr. Morris seconded the motion, which carried 6-0.
At the Planning Board meeting held February 6, 2019, this case was placed on the Consent Agenda. Mr. Rosacker moved for approval of the preliminary plat subject to:
   1. Submittal of a rezoning application to add the ACI-Area of Civic Importance Overlay District.
   2. Providing sidewalks along all streets.
   3. Compliance with all applicable stormwater management ordinances and policies.
In addition, Mr. Rosacker moved for approval of the final plat, subject to the conditions of preliminary plat approval and submittal of an acceptable final subdivision agreement, if necessary, prior to forwarding to City Council. Mr. Morris seconded the motion, which carried 6-0.

**Rezonings**

12. C10-19-029 (D-APPROVAL) Lindsey Clements
REQUEST: Rezoning from GI to NBD (property is within an ACI-1 Overlay District)
LOCATION: 1256 South 13th Street

At the Planning Board meeting held February 6, 2019, this case was placed on the Consent Agenda. Mr. Rosacker moved for approval of the rezoning from GI to NBD. Mr. Morris seconded the motion which carried, 6-0.

**Overlay Districts**

14. C11-19-030 (D-APPROVAL) Clarity Development Company
REQUEST: Approval of a PUR-Planned Unit Redevelopment Overlay District
LOCATION: 1301 South 12th Street

At the Planning Board meeting held February 6, 2019, this case was placed on the Consent Agenda. Mr. Rosacker moved for approval of the PUR-Planned Unit Redevelopment Overlay District. Mr. Morris seconded the motion which carried 6-0.

15. C11-81-168 (D-APPROVAL) Viewhouse
REQUEST: Approval of a Major Amendment to a PUD-Planned Unit Development Overlay District
LOCATION: Northeast of 27th and Cuming Streets

At the Planning Board meeting held February 6, 2019, this case was placed on the Consent Agenda. Mr. Rosacker moved for approval of the Major Amendment to a PUD, subject to:
   1. Approval of the necessary signage waivers from the Zoning Board of Appeals prior to forwarding to City Council.
   2. Compliance with all other applicable regulations.
Mr. Morris seconded the motion, which carried 6-0.

**Conditional Use Permits**

17. C7-19-031 (D-LAYOVER) St. Robert Bellarmine
REQUEST: Approval of a Major Amendment to a Conditional Use Permit (assumed) to allow Religious assembly in a R2 District
LOCATION: 11900 Pacific Street

At the Planning Board meeting held February 6, 2019, this case was placed on the Consent Agenda. Mr. Morris moved to layover to allow the applicant time to submit revised plans for review and comment. Ms.
Karnes seconded the motion, which carried 6-0.

**ADMINISTRATIVE MEETING ONLY**

| 1. | C10-05-144  
|    | C12-05-145  
|    | AVG-CFM 204Q Attn: J.F. Carter | REQUEST: | Final Plat approval of COVENTRY (Lots 111-117 and Outlot I), a subdivision outside the city limits, with rezoning from AG to DR and MU  
|    |  | LOCATION: | Northwest of 204th and Harrison Street |

At the Planning Board meeting held on February 6, 2019, Mr. Eric Englund, Manager of Current Planning stated that this request is for final plat approval of the 6th phase of Coventry, including 7 mixed use lots, one outlot for open space, drainage and associated right-of-way within a little over 13 acres. He stated that the final plat is consistent with the approved revised preliminary and Chapter 53 subdivision provisions of the Omaha Municipal Code. Mr. Englund stated that the department recommends approval of the rezoning from AG to DR and MU, subject to submittal of an acceptable Minor amendment to the Mixed Use Development Agreement; and approval of the final plat, subject to the 6 conditions listed on the recommendation report prior to forwarding to City council.

Mr. Pate moved for approval of the rezoning from AG to DR and MU, subject to submittal of an acceptable Minor Amendment to the Mixed Use Development Agreement and approval of the final plat, subject to addressing the following items prior to forwarding this request to City council:

1. Provide for all improvements identified in the final approved traffic study.
2. Submittal of an acceptable final subdivision agreement.
3. Provide 53 feet of right-of-way for 205th Street and Roosevelt Street.
4. Place a note on the plat that 205th Street shall be limited to a right-in/right-out intersection at Harrison Street.
5. Provide an access easement between Outlot I and 205th/Roosevelt Street.
6. Place a note on the plat that there shall be no direct access to 205th Street from Lots 114 or 115.

Mr. Rosacker seconded the motion, which carried 6-0.

| 2. | C12-18-130  
|    | Dragon Storage LLC | REQUEST: | Final Plat approval of WATERFORD CROSSING REPLAT 27, a subdivision outside the city limits  
|    |  | LOCATION: | Northeast of 156th and Ida Streets |

At the Planning Board meeting held on February 6, 2019, Mr. Eric Englund, Manager of Current Planning stated that the preliminary plat came before the Planning Board on November 7, 2018 and was approved by the City Council, with conditions, on January 8, 2019. He stated that the final plat is consistent with the approved preliminary plat. The department recommends approval subject to the conditions of preliminary plat approval and submittal of a final acceptable subdivision agreement, prior to forwarding this request to the City Council.

Mr. Rosacker moved for approval of the final plat, subject to the conditions of preliminary plat approval and submittal of a final acceptable subdivision agreement, prior to forwarding this request to the City Council. Ms. Karnes seconded the motion, which carried 5-1 with Mr. Pate dissenting.

| 3. | C10-14-104  
|    | C12-14-105  
|    | Anchor Pointe Development LLC | REQUEST: | Final Plat approval of ANCHOR POINTE (Lot 303), a subdivision outside the city limits, with rezoning from AG to MU.  
|    |  | LOCATION: | Northwest of 186th and Ida Streets |

At the Planning Board meeting held on February 6, 2019, Mr. Eric Englund, Manager of Current Planning stated that there have been four previous phases of Anchor Pointe approved, three of which were single family residential and the fourth was for an elementary school. Phase 5 is the start of the mixed use zoning, and this request concerns only the final plat for lot 303. Mr. Englund stated that there are a few items regarding the Mixed Use Development Agreement which still need to be resolved between the
department and the applicant prior to forwarding the final plat to City Council. Mr. Englund stated that the department recommends approval of the rezoning subject to the submittal of an acceptable Mixed Use Development Plan and approval of the final plat subject to the two conditions in the recommendation report prior to forwarding the request to City Council.

Mr. Morris moved for approval of the rezoning from AG to MU, subject to submittal of an acceptable Mixed Use Development Plan and approval of the final plat subject to meeting the following conditions prior to forwarding the request to City Council:

1. Submit an acceptable final subdivision agreement.
2. Revise the final plat to have a minimum of 53 feet of right-of-way dedicated for Kimball Street, and show a 35' wide No Build Easement adjacent to HWS Cleveland Boulevard.

Mr. Pate seconded the motion, which carried 6-0.

PUBLIC HEARING AND ADMINISTRATIVE MEETING

(HOLD OVER CASES)

Special Use Permits

<table>
<thead>
<tr>
<th>4.</th>
<th>C8-18-281</th>
<th>REQUEST: Approval of a Special Use Permit to allow Body and fender repair services in a GC District (property is located in a ACI-2 Overlay District) (laid over from 12/5/18)</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>Mark Sanford</td>
<td>LOCATION: 7076 Maple Street</td>
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</table>

At the Planning Board meeting held on February 6, 2019, Mr. Mark Sanford, 1306 North 162nd Street, appeared before the Board on behalf of the business owner. Mr. Sanford stated that the request is to expand the building to house two additional bays for repairs and painting. He stated that the site plan has been revised to reflect the changes to the parking area which have been made to make them compliant with the requirements of the Planning department. Mr. Sanford stated that the applicant is planning to make use of the abandoned alley to meet the rear buffer yard requirement, and the applicant has made revisions to the placement of the addition to make better use of the very tight space they have to work within.

In response to questions from the Board, Mr. Sanford pointed out which places will be open for cars to enter the service and paint bays. He stated that the plans submitted have been revised since the request was laid over from December, 2018. Mr. Sanford explained some of the revisions which had been made, including the drive aisle, the walkway in front, the addition of a retaining wall, and a few other things. He stated that the revised plans were sent in to the department after he had received the department recommendations.

Mr. Eric Englund, Manager of Current Planning, stated that the department has not had opportunity to fully review the newest plans, however, there are several areas which still are not compliant in those plans, including the drive aisle width, setbacks and buffer yard width. Mr. Englund stated that the size of the lot is very restrictive and it is unlikely the applicant will be able to produce plans which would meet all of the requirements. He stated that the department recommends denial.

Mr. Pate moved for denial of the Special Use Permit to allow Body and fender repair services in a GC district. Ms. Karnes seconded the motion, which carried 6-0.

(REGULAR AGENDA)

Master Plan Referrals

<table>
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<tr>
<th>5.</th>
<th>C3-19-023</th>
<th>REQUEST: Approval of the disposal of City owned property under Community Development Law</th>
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<td></td>
<td>Planning Department on behalf of the City of Omaha</td>
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</table>
At the Planning Board meeting held on February 6, 2019, Mr. Eric Englund stated that the request is to dispose of the 12 listed properties to the Omaha Municipal Land Bank for future development of single family residences. Mr. Englund explained that it is the policy of the city to surplus and dispose of unneeded public property and it is consistent with the State of Nebraska statutes for Community Development Law.

Mr. Englund stated that the department recommends approval.

Mr. Rosacker moved for approval of the disposal of City owned property under Community Development Law. Ms. Karnes seconded the motion, which carried 6-0.

| REQUEST: | Approval of the disposal of City owned property under Community Development Law |
| LOCATION: | 3420 Boyd Street, 3408 Sahler Street, 4209 Ellison Avenue, 4336 Camden Avenue, 4522 Browne Street, 3311 Manderson Street, 3028 Pinkney Street, 3941 Blondo Street, 1706 North 36th Street, 3502 Hamilton Street, 1523 North 35th Street, 3410 Seward Street. |

At the Planning Board meeting held on February 6, 2019, Mr. Eric Englund stated that the request is to dispose of the 6 listed properties to Gesu Housing for future development of single family residences. Mr. Englund explained that it is the policy of the city to surplus and dispose of unneeded public property and it is consistent with the State of Nebraska statutes for Community Development Law.

Ms. Karnes moved for approval of the disposal of City owned property under Community Development Law. Mr. Rosacker seconded the motion, which carried 6-0.

| REQUEST: | Preliminary Plat approval of LAKE CUNNINGHAM VILLAGE, a cluster subdivision outside the city limits, with rezoning from DR to R5 |
| LOCATION: | Southeast of 96th and State Streets |

At the Planning Board meeting held on February 6, 2019, Mr. Larry Jobeun, 11440 West Center Road, appeared before the Board on behalf of the applicant. Mr. Jobeun began by describing the type of developments surrounding this proposal. He showed an acreage development to the north, to the east is agricultural and I680. I680 also is along the south of the proposed development site, and to the west there is a mixture of agricultural, residential, and industrial. Mr. Jobeun stated that the proposal is to construct 229 single family residential homes throughout the development, the average price will be approximately $250,000 each. In addition, he stated there will 19 townhomes in the southwest portion of the development which will have an average price of approximately $150,000. Mr. Jobeun stated there will be approximately 18 outlots, for open space and drainage, and a pedestrian trail cutting through the development and extending north to provide pedestrian access to the Lake Cunningham area. Mr. Jobeun stated that the Future Land Use map and Master Plan for this area show it to be low density residential, which is achieved through this development with 4 units per acre.

Mr. Jobeun stated that they revised the initial site plan to include the access point to the property to the east for when/it is developed. In addition, there is a substantial amount of green space, including approximately 80’ of greenspace along the eastern boundary of the site before getting to the platted lots, as well as detention basins throughout the development. He advised that, with this development, both
State Street and 96th Street will be improved to a three-lane section along the frontage except for the north & west corners which is included in a County project for a later time. Additionally, sidewalks will be installed along both State Street and 96th Street.

Mr. Jobeun stated that the developer had reached out to, and met with, surrounding property owners.

Mr. Jobeun stated that the applicant has received the department’s recommendation report and finds it to be acceptable.

In response to a question from Mr. Pate, Mr. Jobeun stated that the public improvements will be completed within an SID, which is in the analysis and approval process.

Mr. Robert Ricks, 8125 North 96th Street, appeared before the Board in opposition. Mr. Ricks stated that his home is the only one which is on the property proposed to be developed. He has not given his property to the developer. He stated that bringing the development into the neighborhood will destroy the valuation of the homes and property in the area and will destroy the landscape. He stated that the residences in the area are all acreages. Mr. Ricks stated that “starter” homes on ¼ acre will not fit in with the residences currently in the area.

In response to questions from the Board, Mr. Ricks stated that the property is still in his father-in-law’s name and that his is the property which is in the “notch” shown on the map of the proposed development. He stated he had hoped that land would remain agricultural as long as he is living there. Mr. Ricks stated that the homes currently in the area were very nice homes. He stated that his property is approximately ½ acre and they have lived there since 1999. He stated that the developer had not asked them to sell their property. Mr. Ricks stated that the developer had come to his residence while he was not home, but he had not reached back out to the developer since he knew the Board meeting would be coming and he planned to make his case at the meeting.

Mr. Paul Wenninghoff, 6707 Wenninghoff Road, appeared before the Board in opposition. Mr. Wenninghoff stated that he is a shareholder and managing partner of Wenninghoff, LLC which is approximately one mile east of this property. He stated that he had reached out to the project manager who was very responsive. Mr. Wenninghoff stated that the nature of his family business is agricultural, but not “low value” crops like corn and beans. He stated that his family has spent generations as a retail operation growing produce. Mr. Wenninghoff stated that his concerns are mostly regarding the grading plans which will affect water flow. He stated that his concerns are for the possible damage to the soil in the area due to grading and drainage issues, which he stated are inevitable if the property is developed in the manner proposed. In addition, Mr. Wenninghoff stated that he is concerned about fencing with the influx of hundreds of new residents and the possibility of them coming onto his property and stealing from his crops. He is also concerned with safety due the condition of the road currently and whether it will be further degraded by the additional vehicles which will be traveling onto it, and questioned the timing of the County roads project. Mr. Wenninghoff stated that he guarantees there will be an increase in drive-times with the additional traffic as well. He stated that the proposal is, in his opinion, a high density development regardless of what the proposal and the City says about the number of units per acre, in his opinion, the current site plan is simply a “springboard” to further high density development and does not prevent the developer from changing his plans.

In response to questions from the Board, Mr. Wenninghoff stated that in the past year he attempted to purchase the property by making an offer which was under the asking price, but his request was never returned by the property owner. In addition, he stated that he has five center pivots and he guarantees that they will be damaged with this development because people will come in and steal the copper, as has been done in the past and has cost him a significant amount of money to repair. Mr. Wenninghoff stated that he is not against development on the property, he could be agreeable to them developing a quarter or less of the proposed number of homes and that the proposal as it currently stands will be a detriment to the neighborhood due to the number and value of the homes. Mr. Pate advised that the code would allow even more density within the low density designation, and that with the additional green space and public amenities, such as the trail system, the current proposal could be very good for the area. In response to Mr. Magid, he stated that the intersection near his home is a “high risk” traffic area, and that while the additional customers would be welcome, he has an established business and already has plenty of interest in it. Mr. Wenninghoff stated that the style of the proposed housing, “starter homes”, will be detrimental to
the area. In response to Mr. Magid, he stated that what they see in the plans today, are somewhat changed from what he saw when he initially met with the developer, in that there is more greenspace now.

Mr. Wenninghoff stated that he believes the request should be denied.

Mr. Richard McCauley, 8707 North 96th Street, appeared before the Board in opposition. He stated that he is opposed because he had no communication from the City or from the developer. He stated that he is not opposed to the “starter housing”, or to farmers selling land, or the zoning changes. Mr. McCauley stated that there are less than 20 houses within a quarter mile of the proposed development. He stated that he is concerned that the developer is proposing to add approximately 1000 people and 500 cars to what is essentially a rural area. Mr. McCauley stated that his family has been involved in real estate prior to his moving to the Omaha area and as a result he has several questions about this development proposal. He stated that he is concerned about the settlement ponds, sewer development, and traffic on rural roads. He stated that if the developer had spoken with him he could have talked over his concerns about whether the request is even a viable proposal, because he does not believe that what they are presenting is viable, or possibly not even the true plan for the development. Mr. McCauley stated that he believes that the proposal before the Board is deceptive. Mr. McCauley stated that he believes, due to the nature of the area, the City and developer should have gone outside the required 300’ notification area to make sure he understood what was going to be done at the proposed development site. Mr. McCauley stated that he believes the request should at least be laid over until the developer meets with him to go over the proposal and his concerns.

Mr. Mark Franco, 8920 North 96th Street, appeared before the Board in opposition. Mr. Franco stated that he lives a quarter of a mile north of the intersection. He advised that the neighborhood is made up of quiet, pastoral, acreages and that the high density development will destroy the quality of the area. Mr. Franco stated that the only greenspace the developer is providing is in the gullies, ravines and the bottom of embankments while the lots and streets will be on the crest of the hills and ridges. He stated that he is not completely against development, but this high density development does not make any sense in this area.

Mr. Larry Jobeun, returned at the request of the Board on behalf of the applicant. Mr. Jobeun pointed out that the Future Land Use map and Master Plan designated this area for low density residential housing. He stated that the proposed four units per acre is much lower than the 15 units per acre allowed in the Master Plan description of low density residential. Mr. Jobeun reminded the Board that the density is large enough, however, that the developer is required to make several improvements to the public infrastructure, including 96th Street and State Street, installing sidewalks along that same area, sewer improvements, and any other requirements from Public Works. In addition, Mr. Jobeun advised that the developer is required to comply with all post construction stormwater management policies by retaining the first ½ inch of water and having no net increase in water flow onto adjacent properties, he pointed out the location of the detention basin on his diagram of the plat. Mr. Jobeun also stated that there will be an 80’ between the lots and the property line, currently being used for agriculture, which will be planted in natural/native grasses to better stabilize soil erosion and provide more water control. In addition, he pointed out that the property has a large frontage to I-680, as well as being surrounded by arterial streets, State Street and 96th Street.

Mr. Jobeun stated that Mr. Wenninghoff had reached out to the developer was prior to the time that they had applied for the preliminary plat and rezoning and working with the department to come up with a project plan which they believed will be an asset to the area. Mr. Jobeun stated that he does not believe that homes valued at $250,000 and up would qualify as the starter homes that the opponents were concerned about, nor would the $150,000 townhomes. He also addressed the matter of notification which he stated was done in compliance with the law and that once that area is expanded, it becomes cumbersome as if they extend it to 1000 feet, and then a person 1500 feet away wants to be notified as well. He stated that with regards to Mr. Rix, the developer did leave contact information but Mr. Rix never reached out to them. Mr. Jobeun stated that the developer designed the subdivision in such a way that if Mr. Rix ever did decide he wanted to sell the property the connection could be made to the 96th Street access and the property could, if desired, be subdivided and made a part of the neighborhood. Mr. Jobeun stated that he would be happy to meet with the Mr. Rix and the other neighbors who had appeared at the meeting.

In response to questions from Mr. Rosenbaum and Mr. Morris, Mr. Jobeun reiterated that the developer will be is required to comply with all post construction stormwater management policies by retaining the first ½
inch of water and having no net increase in water flow onto adjacent properties and that the 80' to 85' of natural grasses between the lots and the boundary of the property will serve to help control the water. He also stated that an attempt had been made to meet with Mr. Rix, however, he did not respond. However, he stated that they are still available to speak with him, but the developer has no intention of forcing him to sell his property. He stated that the Rix family will still have the same access and be able to continue using their property as they always have, in addition, he stated that if at some point the Public Works department restricts their access to 96th Street, the developer has made accommodations for them to have access to the interior streets.

Mr. Eric Englund, Manager of Current Planning, appeared to address some of the concerns. He advised that the area south of State Street, is in an area designated as a Present Development Zone and north of State Street is designated a Future Development Zone. He explained that in the Present Development Zone, a property can be developed provided necessary infrastructure can be provided, such as sewer extensions, street improvements, etc. He stated that the Master Plan calls for Low Density residential development in this location, which allows up to 14.5 units per acre so the 4 units per acre proposed is well within the Master Plan allowances. Mr. Englund explained the development was a cluster subdivision which has different requirements, such as provide an efficient use of land, protect topographical features and produce common open spaces. He stated that the department believes the development meets the cluster subdivision requirements nicely. In addition, he stated that the department is requiring improvements to the arterial streets and that a stub street be provided to the east, in case that property is ever developed.

Mr. Englund stated that the department recommends approval of the rezoning and approval of the preliminary plat subject to the 23 conditions in the recommendation report.

Mr. Pate moved for approval of the rezoning from DR to R5 and approval of the Preliminary Plat, subject to the following being addressed with or prior to submittal of a Final Plat:

1. Provide a paved temporary turnaround at the subdivision boundary on the stub street adjacent to Outlot 3 and the additional connection near Lot 123.
2. Pave 96th Street and State Street to three lanes along the subdivision’s frontage along with the turn lanes and tapers east of the State Street connection at Outlot 3.
3. Provide a stub street connection near Lot 123 to the east property line.
4. Place a noise attenuation easement along a line 115 feet from the center line of 96th Street and State Street, except in any areas where the ultimate pavement section (concrete, curb-and-gutter, storm sewer) will be constructed.
5. Place the standard noise attenuation easement language on the final plat.
6. Place a note on the plat that there shall be no direct access to 96th Street or State Street from any lots or outlots.
7. Proposed site grades along the western and northern boundaries of the platting, adjacent to 96th Street and State Street, must be coordinated with the future improvement and match the ultimate profile of those roadways.
8. Place the drainageways in outlots sized to accommodate either the 3:1 + 20’ section, or the 100-year storm flow (whichever is greater).
9. Approval of the necessary permits from the Douglas County Engineer’s office.
10. Temporary turn-arounds must be provided at the terminus of all temporarily dead-ended streets.
11. Coordinate with the Douglas County Engineer’s office and the Public Works Department regarding the need to incorporate traffic calming measures in the design.
12. Storm sewer design computations and final plans must be submitted to the Douglas County Engineer’s office for review that relate to the handling of roadway and site drainage along the development boundary adjacent to 96th Street and State Street.
13. Sidewalks must be provided along all street frontages, including along 96th and State Streets and must be located within the right-of-way.
14. Add the necessary OPPD easement to the final plat.
15. Comply with all applicable stormwater management ordinances and policies; including providing for a no net increase in stormwater runoff and treatment of the first ½ inch of stormwater for water quality.
16. Any open space and trails not indicated on the Omaha Suburban Park Master Plan must be privately constructed, owned and maintained by the developer, Homeowner’s Association or other approved entity.
17. Submit a declaration of covenants, conditions and restrictions providing for permanent maintenance of all proposed open space, common area or facilities, private ways and courts, and recreation areas.
18. Coordinate with the Park’s Department regarding a possible pedestrian connection to the Lake Cunningham recreational site.
19. The use, ownership and maintenance of the outlots must be provided for in the final subdivision agreement.
20. Submit a letter from Douglas County Emergency Management confirming that acceptable emergency warning is being provided for the area.
21. Submit a letter of approval from Douglas County for a Noxious Weed Plan.
22. Coordinate with the City regarding an acceptable debt ratio.
23. On the final plat identify the Outlots with letters, starting with “A”.

Mr. Magid seconded the motion, which carried 6-0.

8. C10-17-046 C12-17-047 180 Maple LLC

REQUEST: Revised Preliminary Plat approval of ANTLER VIEW EAST, a subdivision outside the city limits, with rezoning from AG and R4 to DR, R4 and MU and Final Plat approval of ANTLER VIEW EAST (Lots 1-11 and Outlots A-C), a subdivision outside the city limits, with rezoning from AG and R4 to DR, R4 and MU

LOCATION: Southwest of 180th Street and West Maple Road

At the Planning Board meeting held on February 6, 2019, Mr. Douglas Dreessen of Thompson, Dreessen & Dorner, 10836 Old Mill Road, appeared before the Board on behalf of the applicant. Mr. Dreessen stated that the applicant has received a copy of the recommendation report and is in agreement with all of the department’s conditions.

Mr. Eric Englund, Manager of Current Planning, stated that the request is for a revised preliminary plat as well as final plat and rezoning. He stated that due to the split recommendation is why this case was not on the Consent Agenda. Mr. Englund stated the department recommends laying over the final plat to allow them to work out details with the applicant regarding an outlot on Lot 10, and an issue with the wetland mitigation report.

Mr. Englund stated that the department recommends approval of the rezoning and the revised preliminary plat subject to addressing the 33 conditions in the recommendation report with the submittal of the final plat. In addition, he recommends laying over the final plat.

Ms. Karnes moved for approval of the rezoning from AG to DR, R4 and MU, subject to submittal of an acceptable Mixed Use District Development Agreement, prior to forwarding the request to City Council and approval of the Revised Preliminary Plat, subject to addressing the following with the final plat submittal:

1. Provide for all improvements identified in the final approved traffic study.
2. Coordinating with the Public Works Department and the Nebraska Department of Roads regarding West Maple Road improvements.
3. The applicant must pave Emmet Street as a stub street to the subdivision boundary, and provide for proper signage and other measures to prohibit access to 180th Street. Douglas County will make this connection at the time of their future 180th Street project.
4. The applicant must coordinate with Public Works on an acceptable design for the roundabouts.
5. Reduce the median width on the north leg of 183rd and Evans to 4 feet (paved), and remove the median on the south leg.
6. Coordinate with Public Works for an appropriate location and design for the southbound 183rd Street lane drop south of Evans Street.
7. Providing a contribution toward the 180th Street bridge project.
8. Providing a dedication of right-of-way along 180th Street 75’ from the centerline and coordinating with Douglas County regarding the extent of the future right-of-way acquisitions along 180th Street.
9. Storm sewer design computations and final plans must be submitted to the Douglas County Engineer’s office for review.
10. Proposed site grades along the eastern boundary of the platting, adjacent to 180th Street, must be coordinated with the future improvement of the roadway.
11. Coordinating with the Public Works Department regarding an acceptable general obligation paving plan.
12. Placing a note on the final plat stating that there shall be no direct access from any lot within the subdivision to 180th Street or West Maple Road, and providing a note final plat stating that there shall be no direct access from Lot 9 or 12 to 183rd Street.
13. Providing an access easement to Outlot D (the green corner) from 181st/Evans Streets.
14. Aligning the proposed access to Lot 19 with 181st Street or moving it to the east as a right-in/right-out only access.
15. Obtaining all of the appropriate permits from Douglas County.
16. Coordinate with Omaha Public Power District regarding any grading or construction in their easements.
17. Providing temporary turnarounds at the terminus of all temporarily dead-end streets.
18. Providing sidewalks along all street frontages in compliance with city code.
19. Coordinate with the Douglas County Engineer’s office regarding grading the subdivision to match the ultimate profile of 180th Street.
20. Including the drainageway within the subdivision in an outlot sized to accommodate either the 3:1 plus 20’ section or the 100-year storm flow; whichever is greater.
21. Compliance with all applicable stormwater management ordinances and policies; including providing for a no net increase in stormwater runoff and treatment of the first ½ inch of stormwater for water quality.
22. Providing the 35 foot wide no build easement along the parkway, as required, including adjacent to Outlots A and B.
23. Plans and specifications for the design of Big Elk Parkway must be submitted for review to the Park Board prior to bidding.
24. The applicant must provide an outlot along the north side of the parkway and provide an acceptable landscape plan to screen the rear of the building from the parkway or work with the Parks and Planning Departments regarding an acceptable alternative solution.
25. Remove the driveway access from the parkway to Lot 10.
26. Open space not indicated on the Omaha Suburban Park Master Plan must be privately constructed, owned and maintained by the developer, Homeowner’s Association or other approved entity.
27. Correct the final plat mylars to show 185th Street as 182nd Avenue.
28. Include provisions for the use, ownership, and maintenance of the outlots in the final subdivision agreement.
29. Submittal of an acceptable final wetland analysis and mitigation plan, if necessary.
30. Submittal of an acceptable updated tree canopy analysis and mitigation plan, if necessary.
31. Submittal of a letter from Douglas County Emergency Management confirming that acceptable emergency warning is provided for the area.
32. Submittal of a letter of approval of a Noxious Weed Plan from Douglas County.
33. An acceptable debt ratio of 4% or less.

In addition, Ms. Karnes moved to layover the Final Plat of Antler View East (Lots 1-11, Outlots A-C), to address conditions of the Revised Preliminary Plat approval including submittal of a final wetland analysis and mitigation plan (if necessary) and to provide an outlot with acceptable screening along the south side of Lot 10 adjacent to the parkway.

Mr. Magid seconded the motion, which carried 6-0.

| REQUEST: Preliminary Plat approval of OPS PINE CREEK ADDITION, a subdivision outside the city limits, with rezoning from AG to R5 |
| LOCATION: Northwest of 156th and Ida Streets |

At the Planning Board meeting held on February 6, 2019, Mr. Joe Zadina of Lamp Rynearson Associates, 14710 West Dodge Road, appeared on behalf of Omaha Public Schools. Mr. Zadina stated that the land
was purchased as part of the OPS 2014 bond and the 2018 bond is being used for the improvements and high school. He advised that they had met with the City staff in 2017, as well as late in 2018 and again in 2019. Mr. Zadina stated that the applicant has no objections to any of the recommendations and requirements on the recommendation report.

In response to a question from Mr. Pate, Mr. Zadina reiterated that the bond in 2014 was just to purchase the land, the money to build the school is coming from the 2018 bond.

Mr. Shadd Gray, 7133 North 160th Avenue, appeared before the Board in opposition. Mr. Gray stated that his largest concern is the effect it will have on his property values. He stated that the homes adjacent to this property are valued at $350,000 and higher, and that the 1000 kids and their cars, blaring music and other light and noise pollution, will make it impossible to ever sell their homes if they choose to. He stated that the school parking lot will be within 30 feet of his lot line. He stated that the homes adjacent other schools, such as Millard West High School, take much longer to sell than homes across the street. He stated that what is a very quiet neighborhood will become a very loud, unattractive neighborhood. Mr. Gray stated that prior to purchasing his home, he had spoken with the property owner behind him who stated that he would never sell the land and that it would always be used for agriculture; but the district had forced that property owner out to build this school. Mr. Gray stated that the traffic will be a large problem, Vane Street is a small, quiet street and he believes that, although access is available from Ida and 156th Streets, the students will want to utilize Vane Street and there will be a lot of accidents. In addition, Mr. Gray stated that due to the slopes on the property, in order to build the school a lot of dirt will need to be removed which will create a lot of additional water runoff, which is already very bad to begin with. Mr. Gray stated that he believes either the request needs to be denied or vastly revised.

Mr. Rosenbaum stated that all of the schools he knows of back up to residential neighborhoods and he stated that there is virtually no place to put a school that it would not back up to a neighborhood. Mr. Gray responded that he understood that, but that there needs to be a revision so that it is not backing up to his back yard. He believes that kids will be jumping the fences to get into neighbors pools when they shouldn't be and to do other things in the yards of the neighborhood. He stated that in addition, there is proposed to be a YMCA at the location which would create even more traffic and problems. He stated that he needs to know what will be used to separate the school from the neighborhood.

Mr. Robert Schwarz, 7417 North 160th Street, appeared before the Board in opposition. Mr. Schwarz stated that he was concerned about the new street connections through the neighborhood. In addition, Mr. Schwarz stated that all of the back yards have large trees just outside the lot lines and he is concerned that the trees would be removed for the construction of the school.

Mr. Joe Zadina returned at the request of the Board to address some of the concerns which had been brought up. He stated that none of the trees Mr. Schwarz was concerned about will be removed, with the exception of the area where Hanover Street will be extended. In addition, Mr. Zadina stated that the developer intends to fence the area around the athletic facilities and the area on the far west side will be landscaped. He stated that the measurement from the lot lines on North 160th Avenue are approximately 100’ from the service road and the parking lot will be set back even farther from the residential lots. In addition, Mr. Zadina marked on his diagram the proposed drainage areas and how the grading and stormwater flow would be handled. Mr. Zadina advised that the street connectivity was required by the Public Works department. He stated that the school district was also concerned with the streets coming through the neighborhood so they were pleased to see that Girard will become a cul-de-sac, but Hanover will be a roadway, but it will go to nothing as the school does not own the property at the far north end. He stated that Vane Street will come out of the neighborhood as quickly as possible until it comes out and meets up with 159th Street. He also pointed out one lot with a large amount of trees which will remain and possibly be used as an outdoor science area.

In response to questions from the Board, Mr. Zadina stated that they are anticipating 1500 students at the new high school. He advised that there will be 800 parking stalls, which far exceeds the requirements, plus a specific area set aside for bus parking and an additional 125 parking spaces for the YMCA which will possibly be built as well. In addition, Mr. Zadina advised that the landscaping in the 100’ buffer between the parking lot and the residential lots will be made up of trees and lawn, with enough screening to prevent headlights from shining in the residential windows.
Mr. Eric Englund, Manager of Current Planning, addressed the Board to advise that in the future there will be a Conditional Use Permit required for the layout of the school, which may also include slight revisions to some of the details of the preliminary plat which was presented at the meeting. He stated that the Use permit would address details such as setbacks and parking. He stated that in looking at the site plan, there is approximately 120’ from the homes on the west to the service road and 200’ to the parking lot. Mr. Englund stated that the developer is continuing to work with the department on a tree mitigation plan, streets, traffic studies and regulations.

Mr. Rosenbaum asked Mr. Englund to address the concern presented by Mr. Schwarz regarding the street extensions which he claimed he had been told would never be made. Mr. Englund responded that there would not have been anyone from the City who made that kind of guarantee. He explained that the City always stresses the importance of the requirement to have through-streets connecting neighborhoods. The Planning and Public Works departments are always adamant with developers that these street connections need to be made, and for the past 20 years this has always been stressed as a very important requirement.

Mr. Englund stated that the department recommends approval of the rezoning and approval of the preliminary plat subject to the 14 conditions in the recommendation report with, or prior to, submission of the final plat.

Mr. Morris moved for approval of the rezoning from AG to R5 and approval of the Preliminary Plat, subject to the following being addressed with or prior to submittal of a Final Plat:

1. Provide for all improvements identified in the final approved traffic study.
2. Dedicate right-of-way and pave a public street between the Vane Street stub on the western boundary of the subdivision and the intersection of 159th and Ida Streets.
3. Between the street adjacent to Lot 3 and the intersection of 156th and Iowa Streets, either 1) dedicate right-of-way and pave a public street or 2) construct a private street to City standards within an outlot (with a public access, utilities, and sewer easement).
4. Place a note on the plat that there shall be no direct access to 156th or Ida Streets from any lots or outlots. This note may be adjusted to grant access to 156th Street from one of the outlots, if a private street connection is provided as the west leg of 156th & Iowa.
5. Coordinate with the Planning and Public Works Departments to provide acceptable means of access to Lot 2, Sugars Place.
6. If Girard Circle and Hanover Street are constructed at this time, a maintenance agreement or annexation of those streets by S.I.D. 473 will be required before Douglas County will provide routine maintenance of the public streets. If not located in a Sanitary Improvement District, major maintenance activities are the responsibility of the adjacent property owner.
7. Coordinate with Douglas County Engineer’s Office and the Public Works Department regarding the reconstruction of the 159th Street median on the south side of Ida Street.
8. Construct sidewalks along both sides of the internal public/private streets, and along the subdivision’s 156th Street and Ida Street frontages.
9. Comply with all applicable stormwater management ordinances and policies.
10. The use, ownership and maintenance of the outlots must be provided for in the final subdivision agreement.
11. Submittal of a letter from Douglas County Emergency Management confirming that acceptable emergency warning is being provided for the area.
12. Coordinate with the Planning Department regarding an acceptable tree canopy analysis and mitigation plan.
13. Submittal of a final wetland analysis and mitigation plan, if necessary.

Mr. Magid seconded the motion, which carried 6-0.

Rezonings

| REQUEST: | Approval of a Major Amendment to the Mixed Use District Development Agreement for Antler View | C10-14-081 192 Maple LLC | 13 |
At the Planning Board meeting held on February 6, 2019, Mr. Douglas Kellner of Thompson, Dreessen and Dorner, 10836 Old Mill Road, appeared before the Board on behalf of the applicant. Mr. Dreessen stated that the developer had made a few adjustments which had been discussed with the department.

Mr. Eric Englund, Manager of Current Planning, stated that the department had been working closely with the developer and that the original submittal included a few items which the department was not supportive of. Those items have been removed from this submittal what is being considered by the Board today is focusing specifically on the 10% office requirement of the Mixed Use Agreement. He stated that this agreement stated that the office buildings needed a single, primary entrance with a central lobby. Based on the proposal and style of the buildings being proposed with this change, the department finds it acceptable that they are meeting the office requirement with some additional language in the development agreement. Mr. Englund stated that the department recommends approval of the Major Amendment subject to the five conditions in the recommendation report being addressed prior to forwarding it to the City Council.

Mr. Rosacker moved for Approval of a Major Amendment to the Mixed Use District Development Agreement for Antler View subject to addressing the following items prior to forwarding to City Council:

1. Add language to the development agreement and on Exhibits B and F that specify Lots 15-16 are for office use only.
2. All new MU development agreements or major amendments will require use of the current and revised development agreement template available from the Planning Department. The current version is dated 12-12-18.
3. MU exhibits should include all proposed street sections demonstrating compliance with MU sidewalk standards pursuant to section 55-924 including the proposed "trail" network.
4. A Site Statistics Table should be provided on exhibit “B” and contain the following information for each lot including summation of values: Lot Identification, Site Area (acres), Building Use Type, Building Foot Print (sq. ft.), Building Coverage, Building Height/Number of Floors, Total Building Floor Area, Floor Area Ratio, Total Impervious Area, Impervious Coverage, Number of Parking Stalls.
5. Provide a clear accounting on Exhibit B of what areas are being considered in order to meet the 10% open space requirement. Any outlot contributing toward open-space requirements, green corner requirements, public infrastructure such as sidewalks or trails, or other publicly accessible design features shall be provided a separate and detailed design exhibit and a statement regarding the anticipated schedule for construction. (see outlot D and E).

Ms. Karnes seconded the motion, which carried 6-0.

Special Use Permits

| 16. | C8-19-032 Parks, Recreation and Public Property Department on behalf of the City of Omaha | REQUEST: Approval of a Major Amendment to a Special Use Permit (assumed) to allow development in the ED-North Hills Environmental Resources Overlay District (property is located within an FF-Flood Fringe Overlay District and a FW-Floodway Overlay District) |
| LOCATION: 11001 John J. Pershing Drive |

At the Planning Board meeting held on February 6, 2019, Mr. Joe Zadina of Lamp Rynearson Associates, 14710 West Dodge Road, appeared before the Board on behalf of the applicant. Mr. Zadina stated that the area in question is prone to flooding which makes it very expensive to maintain as campgrounds. He stated that in 2011 it cost approximately $140,000 to re-establish service at the campgrounds after they flooded. Mr. Zadina stated that since the existing soccer fields in this area are very popular, the Parks department proposes to place additional recreation fields in place of the campground. He stated that they understand the area is within a Flood Fringe & Floodway Overlay District, and they will do their due diligence to complete all the necessary requirements.

Mr. Eric Englund, Manager of Current Planning, stated that the request is unique because it is technically
located within the Ponca Hills Overlay District, though this area is vastly different from the makeup of the rest of the District. He stated that the Major Amendment was required because of the amount of cut, fill, and grade which was required to transition the space from a campground to rugby fields. Mr. Englund confirmed that the area is within the Flood Fringe/Floodway Overlay District, but that the Parks & recreation use is one of the few uses allowed within the flood plain. He stated that a flood plain development permit will be required and that the department will work with the engineering company and parks department to make sure all the documentation has been completed. Mr. Englund stated that the department is supportive of allowing gravel parking because the parking is not adjacent to a paved street and it will help with some of the flood plain requirements, but there will be a requirement for a waiver from the Zoning Board of Appeals.

Mr. Englund stated that the department recommends approval of the Major Amendment to the Special Use Permit (assumed) subject to the five conditions in the recommendation report.

Ms. Karnes moved for approval of the Major Amendment to the (assumed) Special Use Permit to allow development in the ED-North Hills Environmental Resources Overlay District (property is located within the FF-Flood Fringe and FW-Floodway Overlay Districts), subject to the following conditions:

1. Obtain a waiver to allow gravel parking and circulation from the Zoning Board of Appeals prior to forwarding the request to City Council.
2. Obtain a floodplain development permit for all required work, including grading or fill operations.
3. Compliance with the submitted site plan.
4. Compliance with the submitted operations plan.
5. Compliance with all other applicable regulations.

Mr. Morris seconded the motion, which carried 6-0.

### Conditional Use Permits

| 18. | C7-19-033 Mark Sanford | REQUEST: Approval of a Conditional Use Permit to allow Social club in a R7 District | LOCATION: 3713 North 24th Street |

At the Planning Board meeting held on February 6, 2019, Mr. Mark Sanford, 1306 North 162nd Street, appeared before the Board on behalf of the applicant. Mr. Sanford stated that Mr. George Robinson, the owner of Grown Folks Social Club, is redeveloping an existing building which was once a gathering spot with a kitchen and a bar area. He stated that he is aware there were some concerns about landscaping and the parking area at the location, which Mr. Robinson can comply with. However, the condition regarding the change of closing time is not something which Mr. Robinson believes he can do.

Mr. George Robinson, 5416 Ida Street, appeared before the Board to discuss the details of the proposed social club and the reason why it needs to be able to stay open after 11 p.m. as recommended by the Planning Department in the recommendation report. Mr. Robinson stated that he has already cut back the hours to not being open at all Monday through Thursday, 12 p.m., to 2 a.m. Friday and Saturday, and closing at 10 p.m. on Sunday. He stated that the earlier closing hours are why a number of North Omaha businesses have been unsuccessful. He advised that due to the demographics of North Omaha and the target clientele, they need to remain open until 2 a.m., as he proposed.

In response to questions from the Board, Mr. Robinson stated that he is proposing to be closed Monday through Wednesday, open from Noon to 2 a.m. on Friday and Saturday, and Noon to 10 p.m. on Sunday. He stated that he has seen a number of businesses opened in the 24th and Lake Street area which have gone out of business because the City will not allow later hours of operation in North Omaha. Mr. Robinson stated that he had reached out to the people in the residential neighborhood regarding his plans for the property at which time he explained that it will only be 12 to 15 people, and that he would be putting up acoustic fencing to the area which is currently fenced with wire fencing, to cut down on any possible noise. He stated that all of the neighbors were supportive of the project. Mr. Robinson stated that there would be no outdoor activities.

Mr. Robinson stated that he got this idea with some of his friends and family members to open this club
which would feature local cooks and be exclusive to people who purchased a “membership”, from his days at Offutt Air Base when they would all gather at one place for food on the weekends. He stated that the “members” would be able to sample the meals of local cooks and give feedback to them, while the cooks would be able to build up a foundation of people who would maybe frequent their business once they build up some capital.

In response to further questions regarding the hours of operation, Mr. Robinson stated that the club would need to be open until 2 a.m. because of the people who would be in there. He stated that they wouldn’t be able to serve food between 12 p.m. and 7 p.m. because there would be very few people there. He stated that between 7 p.m. and 2 a.m. people would eat more because they would be drinking a lot, and that makes people hungry. He confirmed that he has been approved for a liquor license. Mr. Robinson stated that his target demographic will be people aged 40 and up, which is why the business is called “Grown Folks”. Only people with authorized member cards will be allowed in, and those people will have to be buzzed in, no one will be able to walk in off the street. He stated that he spoke with people north to 24th and Sahler Street, and to the few people south of his location. He stated that only one person spoke at the hearing for his liquor license who was opposed because she believed it would be a motorcycle club. Mr. Robinson stated that it would definitely not be a motorcycle club, there would also be no dance floor, and no young people.

Mr. Rosacker stated that although Mr. Robinson states that there will be only 12 to 15 people at any one time, the plans given to the Board show seating for at least 50 people. He asked Mr. Robinson and Mr. Sanford why the plans showed something so different than their testimony before the Board. Mr. Sanford stated that the diagram was prepared prior to applying for permitting and knowing the conditions of the Conditional Use Permit, he stated that the condition on the recommendation report limiting them to 16 individuals was not going to be a problem.

Ms. Ella Willis, President of the Neighborhood Action & Facts Association, 4123 North 25th Avenue, appeared before the Board in opposition. Ms. Willis stated that the Association has been pushing for businesses to come into the area to be an asset to the neighborhood, but they do not want businesses that are going to have people causing trouble, standing around in the streets. Ms. Willis stated that her largest concern is about the parking, especially with trucks coming and going with food deliveries. She stated that the only place available for parking is in the alley, where several homes also access their driveways. Ms. Willis stated that she is also concerned about lighting and the security of the people who live in the neighborhood which surrounds this business property. She advised that she is skeptical about the numbers and the business plan provided by Mr. Robinson. Ms. Willis stated that she does not see any way the business will be making money with only 12 to 15 people going to the club, the only way she believes they will be able to make a profit is to open it up to the public, which will also bring more traffic and require more parking.

In response to questions from the Board, Mr. Sanford stated that they will be accessing parking from the alley and they will be putting in significant landscaping to separate the parking area from the neighborhood, which will also include lighting for security. He stated that they will be providing as much parking as possible off the street where the requirement is for one space for every four people, which would be four spaces but the department is supportive of a waiver down to two spaces, in addition to available parking on 24th Street.

Ms. Karnes stated that the mission statement provided by Mr. Robinson, the hours of operation were stated as being 6 p.m. to 2 a.m. on Fridays and 11 a.m. to 2 a.m. on Saturday and Sunday, which was different than what he has stated at the meeting. Mr. Robinson stated that the hours they are requesting are 12 p.m. to 2 a.m. on Friday and Saturday, and 12 p.m. to 10 p.m. on Sunday.

In response to other questions from the Board, Mr. Robinson stated that the upstairs portion of the building would be used solely for storage and his office with no public access. Mr. Sanford stated that they will be repairing the exterior stairs and there are also interior stairs. In addition, Mr. Robinson stated that he had spoken with OPPD and they will not allow him to place additional lighting in the alley.

Mr. Eric Englund, Manager of Current Planning, stated that the existing zoning of R7, there is a limited number of uses, but that a Social Club is one of the allowed uses. He advised that one of the vital aspects of a Social Club is that it requires membership, which the applicant is addressing. Mr. Englund stated that
this location has historically been used commercially, with residential units on the upper floor. He stated that the department is supportive of the Conditional Use Permit, with some conditions including a limit on occupancy. In addition, Mr. Englund stated that the department does not support a waiver of the landscape buffer yard, which would limit the onsite parking. He stated that since there is parking available on 24th Street, the department is supportive of a waiver for the parking, which would need to be approved by the Zoning Board of Appeals.

Mr. Englund stated that the department recommends a closing time of 11:00 p.m. due to it being surrounded by residential properties. He stated that they would be supportive of the club opening earlier than 12 p.m. Mr. Englund advised that if the Board decided to approve a later closing time and they received complaints of issues at the club, they could revisit the issue at a later time.

Mr. Englund stated that the department recommends approval of the Conditional Use Permit subject to the nine conditions in the recommendation report.

Mr. Morris moved for approval of the Conditional Use Permit to allow a Social club in a R7 District subject to the following conditions:

1. The applicant obtaining a waiver from the Zoning Board of Appeals for the amount of required off-street parking stalls from 4 to 2.
2. Occupancy to not exceed 16 individuals at any time.
3. Submittal of an updated operating statement with listed hours on Friday and Saturday of 12 p.m. to 2 a.m. and on Sunday from 12 p.m. to 10 p.m., and more specific information related to commercial deliveries and the expected peak use and hours.
4. Submittal and compliance with a revised site/landscape plans that provide the required 15 foot landscaping along the north, south and east property lines (except the driveway).
5. Compliance with Article XVII Performance Standards.
6. No outdoor events/activities.
7. Compliance with all other applicable ordinances and regulations.
8. The applicant obtaining all necessary building permits and Certificates of Occupancy prior to commencing operation.
9. The Conditional Use Permit being limited to this applicant only.

Ms. Karnes seconded the motion, which carried 6-0.

**APPROVAL OF MINUTES**

Mr. Rosacker moved for approval of the minutes of the January 29, 2019 Planning Board pre-meeting as written. Mr. Magid seconded the motion, which carried 6-0.

Mr. Pate moved for approval of the minutes of the January 29, 2019 Planning Board meeting as written. Ms. Karnes seconded the motion, which carried 6-0.

**ADJOURNMENT**

Ms. Karnes motioned to adjourn the meeting at 3:30pm. Mr. Rosacker seconded the motion, which carried 6-0.

Date Approved

Greg Rosenbaum, Chairman

Lisa Agans, Planning Board
Recording Secretary