The meeting was called to order by Eric Englund, Acting Assistant Director.

Mr. Englund advised that in order to approve or deny a recommendation a quorum of four affirmative votes is required. He stated that since one Board member would be recusing from agenda items #9 and #10, he would have to talk with Jen Taylor from the Law Department whether it would be possible to vote to layover with only three members voting.

#5 Mr. Bill Lukash, Assistant Director HCD, discussed the various provisions of the 2020 Action Plan including the funding sources which are included in the Plan and some of the projects and programs involved.

#1 Mr. Englund advised that this case had been laid over from the February 5, 2020 Planning Board meeting. He stated that there had been changes to the Mixed Use agreement and provided revised copies to everyone at the meeting. The plan included convenient storage, multi-family and single family residential, and a small amount of office/commercial. Intersection improvements and park requirements were discussed specifically along with other general requirements for Mixed Use developments. Mr. Dave Fanslau, Director, also discussed possible code changes regarding storage facilities and Mixed Use developments.

#2 & #3 Mr. Englund reminded the Board that these two cases are related and were both laid over from the February 5, 2020 meeting.

#2 Discussed the overall MU plan which was not yet finalized. The applicant is working with the Whitehawk Development to potentially acquire Outlot D. Discussion focused on street design and connections. The department is not requiring a round-about but suggested it to the applicant to resolve the ¼ mile problem on Q Street and the concerns about the right in/right out at that residential street.

#3 This development will consist entirely of single-family residences. Discussed the requirement for connection to HWS Cleveland Blvd at the northeast corner and the creek near Q Street. Mr. Englund also explained that the homes will back up to the boulevard which is nor normally allowed; the department has worked with the developer on increasing setbacks and this is the best option.

#4, #6, #8, #11 Mr. Englund advised that these 4 cases are on the Consent Agenda for approval.

#4 This was laid over from the March 4, 2020 meeting. The improvement of Avenue J and the alley as well as vacation of two street segments still need to be worked out. There are a
couple of issues with outlots and some errors on the Plat to be corrected prior to sending it to City Council.

#6 Mr. Englund advised that this request is a simple minor plat of two unplatted parcels. Adjustments need to be made to the lot lines.

#8 Mr. Englund advised that this is the former Shopko site which will be replatted into two lots for a C-Store and other uses. He advised that there is an MCC required for the intersection.

#11 Mr. Englund advised that the home adjacent to the alley on the west wants to use the alley for their drive access. There was some discussion regarding Public Works comments.

#7 Mr. Englund explained that the applicant in this case wishes to build a detached garage south of the area where he has a swimming pool in the northeast corner of the residential lot. In order to do so he wants to rezone his property from R2 to R4 for the difference in setbacks. He advised that there are some properties zoned R3 in the surrounding neighborhood and the department would recommend approval of R3 zoning but recommends denial of R4 zoning. Several letters have been received by neighbors in opposition to the zoning change, many are citing neighborhood covenants. The City and the Board are not parties to neighborhood covenants or required to uphold them. The Board is responsible for considering compliance with zoning ordinances and not compliance with neighborhood covenants.

#9 & #10 Mr. Englund explained that both of these requests are for Millard Public Schools, though they are different requests for two different locations. He advised that Mr. Pate is recusing himself from these cases which will leave the Board without a quorum. Both cases were added to Consent for Layover as layover can be approved with a simple majority of 3 members.
Mr. Greg Rosenbaum, Chairperson, called the meeting to order, due to social distancing regulations related to the Covid-19 pandemic, Mr. Rosenbaum addressed members of the public in the hallway outside of the meeting room. Mr. Rosenbaum explained the procedures related to the Consent Agenda; he read off the items on the Consent Agenda and asked if anyone wished to remove an item for discussion at the meeting. No one wished to remove any item from the Consent Agenda. Mr. Rosenbaum advised that, for public safety, the number of people in the meeting room was being limited and that Mr. Michael Carter, Acting Current Planning Manager, would announce each case prior to the start of testimony and allow members of the public, applicants and representatives for that case only in the room. Mr. Rosenbaum advised those in attendance where to find a copy of the Nebraska Open Meetings Act in Room 702.

Mr. Rosenbaum discussed the Consent Agenda items with the group gathered and no one wished to remove any items from the Consent Agenda.

As there were several members absent, Ms. Jennifer Taylor of the Law Department, explained that a quorum of four affirmative votes were required for any final action, either approval or for denial. A simple majority of 3 votes could approve a layover as it is not a final action.

PUBLIC HEARING AND ADMINISTRATIVE MEETING
(HOLD OVER CASES)

Subdivisions

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Request</th>
<th>Location</th>
</tr>
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<tbody>
<tr>
<td>C12-20-050 (D) Lorri Brockman</td>
<td>Preliminary and final plat approval of OMAHA BOX BUILDING SUBDIVISION, a subdivision inside city limits, with a waiver of Section 53-8(4d), Lot frontage (laid over from 03/04/20)</td>
<td>South of 21st Street E. and Avenue J</td>
</tr>
</tbody>
</table>

At the Planning Board meeting held April 1, 2020, this case was placed on the Consent Agenda and Mr. Moore moved for approval of the waiver to Section 53-8(4d), Lot frontage, for Outlots A and B; and approval of the preliminary plat, subject to the following conditions:

1. Construct Avenue J to City street standards between North 21st Street E. and North 23rd Street E.
2. For the alley east of Avenue H/20th Street E and south of the vacated 21st Street E, construct the new pavement as an OPW public improvement, and comply with industrial standards for pavement thickness.
3. Coordinate with Public Works for the storm sewer, drainage, and grading improvements at the south end of Lot 1.
4. Revise the plat document as follows:
   a. Remove the “outlot” designation from Outlot 1 and place the area within Lot 1.
   b. Rename Outlots 2 and 3 to Outlots A and B.
   c. Revise the title block to reflect the corrected legal description.
   d. Revise the metes and bounds description to reflect the expanded plat boundary.
   e. Denote the areas to be vacated with hatching, and insert the standard vacation language.
   f. Grant easements for any public sewers in Lots 1 and 2 for which easements do not currently exist.
   g. Provide an access easement between Outlots A and B and the right-of-way.
5. Concurrently with the recording of the final plat, record a Memorandum of Agreement for Lot 1, Outlot A, and Outlot B, to assign the ownership requirement for the outlots; coordinate with Public Works on the language for the MOA.
6. Provide for the use, ownership, and maintenance of the outlots in the final subdivision agreement, including additional ownership requirements for Outlots A and B.
7. Compliance with all applicable floodplain development regulations, including obtaining a floodplain development permit for all grading and construction located within the floodplain.
8. Provide sidewalks along all street frontages as required by Section 53-9(9), Sidewalks.
9. Compliance with all stormwater management ordinances and policies.

In addition, Mr. Moore moved for approval of the final plat, subject to the conditions of preliminary plat approval and submital of an acceptable final subdivision agreement prior to forwarding the request to City Council. Mr. Morris seconded the motion which carried 4-0.

(REGULAR AGENDA)

Subdivisions

| 6. | C12-20-062 (D) Elliot Equipment Company | REQUEST: Preliminary and Final Plat approval of NATIONAL SUBDIVISION REPLAT 1, a minor plat inside city limits |
|    | LOCATION: 4421 and 4427 South 76th Circle |

At the Planning Board meeting held April 1, 2020, this case was on the Consent Agenda. Mr. Moore moved for approval of the preliminary plat, subject to compliance with all applicable stormwater management policies and ordinances; and approval of the final plat subject to submital of an acceptable final subdivision agreement (if necessary) prior to forwarding the request to City Council. Mr. Morris seconded the motion which carried 4-0.

Rezonings

| 8. | C10-20-066 (D) Lund Center, LLC | REQUEST: Approval of the MCC-Major Commercial Corridor Overlay District |
|    | LOCATION: 14445 West Center Road |

At the Planning Board meeting held April 1, 2020, this case was on the Consent Agenda. Mr. Moore moved for approval; Mr. Morris seconded the motion which carried 4-0.

| 9. | C10-20-069 (D) C7-08-022 Chad Meisgeier | REQUEST: Approval of the MCC-Major Commercial Corridor Overlay District, and approval of a Major Amendment to the Conditional Use Permit to allow Secondary education |
facilities in the R4, with a waiver to Section 55-186, Height, to allow a 55 foot tall building

LOCATION: Southwest of George B. Lake Parkway and West Q Road

At the Planning Board meeting held April 1, 2020, this case was on the Consent Agenda. Mr. Morris moved for layover. Mr. Moore seconded the motion which carried 3-0-1, Mr. Pate recused.

Conditional Use Permits

10. C7-17-067 (D) Chad Meisgeier
REQUEST: Approval of a Major Amendment to the Conditional Use Permit (assumed) to allow Secondary education facilities in the R3 District

LOCATION: 14905 Q Street

At the Planning Board meeting held April 1, 2020, this case was on the Consent Agenda. Mr. Morris moved for layover. Mr. Moore seconded the motion which carried 3-0-1, Mr. Pate recused.

Vacations

11. C14-20-068 (D) Planning Department on behalf of the City of Omaha
REQUEST: Vacation of South 49th Avenue, south of Washington Street, abutting Lots 26 and 27, Block 0, Homestead Acres Addition, as well as 6445 South 50th Street

At the Planning Board meeting held April 1, 2020, this case was on the Consent Agenda. Mr. Moore moved for approval subject to retaining any necessary easements and including language in the ordinance indemnifying the City of any liability if the sewers need to be accessed and/or if Blood Creek needs maintenance.

PUBLIC HEARING AND ADMINISTRATIVE MEETING

(HOLD OVER CASES)

Subdivisions

1. C10-20-021 C12-20-022 Ardon Investments, LLC
REQUEST: Preliminary Plat approval of FLANAGAN POINTE, a subdivision outside city limits, with rezoning from AG to DR, R4, and MU (laid over from 02/05/20)

LOCATION: Northeast of 180th and Fort Streets

At the Planning Board meeting held April 1, 2020, Mr. Doug Kellner of Thompson Dreessen & Dorner (10836 Old Mill Road), appeared before the Board on behalf of the applicant. Mr. Pate asked Mr. Kellner to explain the thought process involved in choosing to put the storage facility on the corner where it would be very visible. Mr. Pate stated he was concerned about the appeal to the single-family homeowners when they are developed. Mr. Kellner stated that the developer did want visibility to passing traffic; he showed on a diagram how the site would be laid out with the placement of the storage facility, the multi-family residential development and the single-family residential project. In response to a question from the Board, Mr. Kellner affirmed that he did represent the developer of both the storage and the single family residential. He indicated that the single-family residence developer had been consulted and was ok with the location of the storage.
Mr. Mark Stodola, the developer for the single-family residences, appeared before the Board at the request of Mr. Pate. Mr. Stodola advised that because of the high traffic at 180th and Fort Streets, they had decided to build the residences farther away from the corner. He stated that the homes are westward facing, and back walkouts face the lake. Mr. Pate asked whether the buyers for the homes would be aware that the storage facility would be built on the corner; Mr. Stodola stated that the homes will be under construction at the same time the storage facility is being constructed. He added that he was unaware when construction would begin on the apartment units as they were being built by another developer.

Mr. Rosenbaum asked about the landscaping which would be surrounding the storage units. Mr. Stodola stated that there would be berms and trees as well as attention being paid to the detail of the building. He advised that it would be similar to the facility at 180th and Harrison Streets. Mr. Pate encouraged Mr. Stodola to do more than the minimum amount of required landscaping.

Mr. Eric Englund, Acting Assistant Director, advised that the site is a total of 42 acres, there are 94 total lots, 2 lots would be zoned Mixed Use, the remaining single family lots would be zoned R2 and DR (for outlots). The multi-family component would utilize 9.9 acres, and the storage facility would be 3.62 acres. He advised that there would be a 7,500 square foot office requirement for the mixed use. Mr. Englund stated that there were some small modifications which would be required to the mixed-use plan prior to final approval. Some of those modifications are related to the public plaza space and zoning requirements, the storage facility will also require some small modifications to the landscaping and fencing among other things. Mr. Englund stated the department recommended approval subject to the conditions stated in the recommendation report.

Mr. Morris motioned for approval of the rezoning from AG to DR, R4, and MU, subject to submittal of an acceptable Mixed-Use Development Agreement prior to forwarding to City Council and approval of the preliminary plat, subject to the following conditions:

1. Provide for all improvements identified in the final traffic study.
2. Provide for the improvements to 180th and Fort Streets in the final subdivision agreement and enter into an interlocal agreement with Douglas County for improvements of the 180th and Fort Street intersection.
3. Coordinate with the Douglas County Engineer's office on the review, approval, and permitting of all street, grading, sewer, storm sewer, drainage, and utility designs related to the widening/improvement of 180th and Fort Streets.
4. Acquire the property for the northern part of the Hartman Avenue right-of-way on its approach to 180th Street. Either record a paper right-of-way dedication concurrently with the plat or include the full width of the right-of-way on the plat.
5. For the Hartman Avenue approach to 180th Street, provide a 16-foot inbound lane, a 4-foot paved median, and two 12-foot outbound lanes.
6. Pave 177th Street to the subdivision boundary and provide a temporary turnaround. Temporary turnarounds must be provided at the terminus of all temporarily dead-ended streets.
7. Place all areas proposed for the public plaza space within an outlot.
10. Provide traffic calming on all streets longer than 1,000 feet.
11. Include the following notes on the plat:
   a. There shall be no direct access to Fort Street or 180th Street from any lots or outlots.
   b. 179th Street at Fort Street shall be limited to a right-in/right-out only intersection upon future improvements of Fort Street.
12. Coordinate with Public Works on the arrangements for the interceptor sewer project, including language in the Subdivision Agreement.
13. Submit the 30 percent design report for the sanitary sewer to the Public Works Design Division per Section 2.14 of the City's Wastewater Collection Systems Design Manual.
14. Provide access easements between 179th Street and Outlots A and B.
15. Provide the standard noise attenuation easement language on the final plat.
16. Coordinate with Public Works and the NRD on acceptable stormwater management prior to the proposed discharge onto the lake property.
17. Compliance with all stormwater management ordinances and policies.
18. Coordinate design for Park 33 with adjacent SID’s and the Omaha Parks Department park planning staff. The park design must meet the requirements outlined in the Suburban Park Master Plan, 2016 Update. The park must be designed by a Professional Landscape Architect licensed in the State of Nebraska.

19. Provide for the private maintenance of the trail connection from 177th Street to the Flanagan Lake trail in the final subdivision agreement.

20. Provide sidewalks along all street frontages as required by Section 53-9(9). Sidewalks, of the Omaha Municipal Code, or as required by the approved Mixed-Use Development Plan.

21. Provide for the use, ownership, and maintenance of the outlots in the final subdivision agreement.

Mr. Moore seconded the motion which carried 4-0.

<p>| REQUEST: | Preliminary plat approval of NORTH STREAMS, a subdivision outside city limits, with rezoning from AG to DR, R4, and MU (laid over from 03/04/20) |</p>
<table>
<thead>
<tr>
<th>LOCATION:</th>
<th>Northeast of 204th and Q Streets</th>
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<tbody>
<tr>
<td>2.</td>
<td>C10-20-045 C12-20-046 Woodsonia-North Streams, LLC</td>
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</table>

At the Planning Board meeting held April 1, 2020, Mr. Larry Jobeun, 11440 West Center Road, appeared before the Board on behalf of the applicant. Mr. Jobeun advised that Mr. Jeff Elliott of Woodsonia and Mr. Brad Huyck of Thompson, Dreessen and Dorner were also present to answer questions from the Board. Mr. Jobeun advised that this project was on the northeast corner of 204th and Q Streets and would be a true mixed use development on 174 acres. He reminded the Board that the case was laid over in March to allow the developer to work some more with Public Works and Planning staff. Mr. Jobeun stated that they had received the recommendation report and it appeared to be fine with the applicant except for Comment #18c by Public Works. He advised that the applicant was hoping to keep an open dialog with Public Works regarding the access to N Street from lots 9, 10, and 11 which they hope could be approved for a right in/right out access. Regarding item #20 on the recommendation report, Mr. Jobeun advised that the applicant was working with the Whitehawk development regarding an outlot owned by that SID which they were hoping to work out a way to use for tree mitigation.

Mr. Moore of the Planning Board discussed the possibility of a roundabout to mitigate the traffic problems which could come with the two intersections within that development. Mr. Brad Huyck of Thompson, Dreessen and Dorner (10836 Old Mill Road) advised that they had discussed a roundabout with Public Works, but the developer did not prefer them and was going to look into other traffic calming devises. He advised that the first intersection would be approximately 150 feet from Q Street and would be a right turn only intersection. Mr. Moore stated that since people would have to either go up and maneuver a U-Turn at the intersection or go in and back out, he felt a roundabout would be a much easier traffic tool. Mr. Huyck advised that the reason the developer did not prefer the roundabout was mostly related to land use and the cost; he advised that a driver could circle around the block to get to HWS Cleveland Boulevard.

Mr. Jeff Elliott of Woodsonia (17007 Marcy Street), advised that a traffic study had been completed and determined that a traffic signal would be warranted at some point possibly after the commercial development was completed, likely in the next 5 to 6 years. Mr. Pate asked whether the intersection off HWS Cleveland Boulevard would have a traffic signal. Mr. Elliott stated that the traffic study did not indicate one would be needed due to the nature of residential traffic. Mr. Pate stated that he thought it made more sense to put in a roundabout; Mr. Moore agreed that when more traffic is added with future development the roundabout would allow traffic to flow more smoothly. Mr. Rosenbaum recommended that the developer consider the possibility of a roundabout prior to returning with the final plat.

Mr. Eric Englund, Acting Assistant Director, stated that this would be a two phase development consisting of 174 acres with 327 lots and 10 outlots. Specifically, regarding the recommendations mentioned by Mr. Jobeun, he advised that staff would be open to further discussions regarding the access issue. Regarding item #20 and Whitehawk Outlot D, Mr. Englund advised that staff wants to make sure that the tree canopy analysis and mitigation plan is factoring in the Outlot and the rest of the site. He advised that the analysis recognized approximately 573 trees as needing mitigation and the department wants to make sure that trees in the outlot are not torn down. Mr. Englund stated that the Outlot could possibly be utilized in the mitigation plan, but there would have to be some study done regarding what is already in the outlot and if
it were to be removed whether that would become part of the mitigation plan. He advised that staff were willing to continue conversations in this regard.

Mr. Englund stated that work still needed to be done regarding the required plaza space and grouping of buildings in the mixed use agreement. He advised that Public Works could be invited to discuss the roundabout but, at the time of the meeting, they were not requiring their use. Mr. Englund advised that the department recommended approval subject to the conditions in the recommendation report.

Mr. Morris motioned for approval of the rezoning from AG to DR, R4, and MU, subject to submittal of an acceptable Mixed Use Development Agreement as well as approval of the preliminary plat, subject to the following conditions:

1. Coordinate with NDOT for approval of the traffic study and of the 204th Street improvements.
2. Provide for all improvements identified in the final approved traffic study. For any identified capacity-related improvements on Q Street, pay the estimated amount of the improvements to the City (to be placed into the ASIP Fund).
3. Coordinate with the Douglas County Engineer’s office on the review, approval, and permitting of all street, grading, sewer, storm sewer, drainage, and utility designs related to the widening/improvement of Q Streets.
4. Either a) Coordinate with NDOT to acquire the excess right-of-way on the northeast corner of 204th and Q Streets, to be incorporated within the subdivision, or b) Grant an access and utilities easement between 202nd and Weir Streets and the southwest side of Lots 5 and 6.
5. Provide a green corner as required by OMC Sections 53-9(14) and 55-564(f). Provide an access easement between the green corner and 202nd or Weir Street.
6. Acquire the property for the northern part of the J Street right-of-way on its approach to 204th Street. Either record a paper right-of-way dedication concurrently with the plat, or include the full width of the right-of-way on the plat.
7. Coordinate with Public Works and Urban Design for an acceptable right-of-way width in the mixed-use areas.
8. Include a provision in the subdivision agreement for the routine maintenance and snow removal of parking areas located within the public right-of-way.
9. Pave left turn lanes and tapers on Q Street at 201st Street. Calculate the difference between the cost of the three lane improvement between 201st and 204th Streets and the construction cost of the required 201st Street turn lanes, and pay the difference to the City (to be placed into the ASIP Fund).
10. Construct a median along 201st Street between Q Street and Weir Street, and construct a northbound right-turn lane on 201st Street at P Street.
11. Consider roundabouts at the following intersections: 201st and Weir Streets; 201st and N Streets, and 202nd and N Streets.
12. Provide temporary roundabouts at the terminus of all temporarily dead-ended streets.
13. Provide traffic calming on all streets longer than 1,000 feet.
15. Coordinate with Public Works on an acceptable GO Paving Plan.
16. Any drainageway must be placed in an outlot sized to accommodate either the 3:1 + 20’ section, or the 100-year storm flow (whichever is greater).
17. Provide the standard noise attenuation easement language on the final plat.
18. Place the following notes on the plat:
   a. There shall be no direct access to Q Street or 204th Street from any lots or outlots.
   b. No direct access to J Street from Lot 310.
   c. No direct access to N Street from Lots 9, 10, or 11.
   d. No access to 201st Street from Lots 1, 96, or 97.
19. Either secure easement rights or acquire Outlot D of Whitehawk for the proposed stormwater basin east of Lots 33-39. Continue to coordinate with Planning, Public Works, and the Parks Department for the use of Outlot D, Whitehawk addition as stormwater retention.
20. Remove the mitigation trees proposed within Outlot D of Whitehawk and provide the required mitigation elsewhere within the subdivision boundary. Continue to coordinate with the Planning Department on an acceptable tree canopy analysis and tree mitigation plan.
21. Coordinate the design of Park 45 (Lot 17) with adjacent SIDs and the Omaha Parks Department.
planning staff. The park must meet the design criteria outlined in the Suburban Parks Master Plan, 2016 Update. The park must be designed by a professional landscape architect licensed in the state of Nebraska.

22. Revise the Source and Use of Funds (and phasing plans, if necessary) to provide a phase by phase breakdown of the development plans for “The Streams” SID.

23. Submit the 30 percent design report for the sanitary sewer to the Public Works Design Division per Section 2.14 of the City’s Wastewater Collection Systems Design Manual.

24. Compliance with all stormwater management ordinances and policies.

25. Provide sidewalks along all street frontages as required by Section 53-9(9), Sidewalks, of the Omaha Municipal Code, or as required by the approved Mixed Use Development Plan.

26. Provide for the use, ownership, and maintenance of the outlots in the final subdivision agreement.

Mr. Moore seconded the motion which carried 4-0.

| REQUEST: Preliminary plat approval of SOUTH STREAMS, a subdivision outside city limits, with a waiver to Section 53-8(2b), Cul-de-sac length, and rezoning from AG to DR and R4 (laid over from 03/04/20) |
| LOCATION: Southeast of 204th and Q Streets |

At the Planning Board meeting held April 1, 2020, Mr. Larry Jobeun, 11440 West Center Road, appeared before the Board on behalf of the applicant. Mr. Jobeun advised that Mr. Jeff Elliott of Woodsonia and Mr. Brad Huyck of Thompson, Dreessen and Dorner were also present to answer questions from the Board. He advised that this two phase project is located on approximately 115 acres on the southeast corner of 204th and Q Streets. Phase one would consist of 182 lots and phase two would include 64 lots. He advised that the applicant had reviewed the recommendation report and had worked out any issues with the department prior to the meeting.

Mr. Morris asked whether the lot on the northwest corner of the site was under contract? Mr. Elliott stated that they had spoken with the landowner and he has no interest at all in having that discussion. He stated that they are open to discussion in the future, but at this time it is not being included in layout and does not affect the project. Mr. Elliott stated that their concern was that the department was asking them to acquire property for the connection to HWS Cleveland Boulevard from a landowner who is not open to selling their property. Additionally, the cost of putting in pavement and culverts on property that is not theirs. He advised that they have been in conversations with Arbor Gate SID but they have not indicated whether they would participate. He is concerned that the significant costs to their SID would add to their debt ratio.

Mr. Jobeun stated that the concern is that the property will have to be taken for the connection forcibly by the city or someone. Mr. Elliott stated that most of that property will be undevelopable and would add a significant amount in costs to for this project. Mr. Jobeun stated that it may be feasible down the road to acquire this property, but at this time is would be a significant financial strain.

Mr. Eric Englund, Acting Assistant Director, stated that the City considers the connection at the creek crossing to be vital. He advised that staff is willing to continue discussions to explore all options including some agreement with Arbor Gate SID. Regarding the acquisition of property, Mr. Englund advised that the SID had the power to use eminent domain to acquire property for necessary street infrastructure and the City would generally be supportive of that action for this purpose. He advised that on the southern portion adjacent to the elementary school under construction, the applicant has worked with Public Works and Parks to allow a 20 foot wide landscaped outlot on the northside of HWS Cleveland Boulevard so that the single family homes are not backing onto the boulevard.

Mr. Englund stated that the department recommended approval subject to the conditions listed in the recommendation report. He added that a waiver to Section 53-8(2b) Cul-de-sac length should have been included in the recommendation report and should be included in the motion.

Mr. Moore motioned for approval of the rezoning from AG to DR and R4; approval of the waiver to Section 53-8(2b) Cul-de-sac length; and approval of the preliminary plat, subject to the following conditions:

1. Coordinate with the property owner at 19731 Q Street and acquire the property necessary for the
right-of-way dedication to connect H.W.S. Cleveland Boulevard (from its current termination in Arbor Gate) to V Street. Coordinate with SID 519 (Arbor Gate) on cost sharing and construct the creek crossing and street connection.

2. Coordinate with NDOT for approval of the traffic study and of the 204th Street improvements.

3. Provide for all improvements identified in the final approved traffic study. For any identified capacity-related improvements on Q Street, pay the estimated amount of the improvements to the City (to be placed into the ASIP Fund).

4. Acquire the property for the southern part of H.W.S. Cleveland Boulevard right-of-way on its approach to 204th Street. Either record a paper right-of-way dedication concurrently with the plat or include the full width of the right-of-way on the plat.

5. Pave left turn lanes and tapers on Q Street at 201st Street. Calculate the difference between the cost of the three lane improvement between 201st and 204th Streets and the construction cost of the required 201st Street turn lanes and pay the difference to the City (to be placed into the ASIP Fund).

6. Coordinate with Public Works on acceptable tapers and lane transitions on the minor street approaches to 204th Street and Q Street.

7. Coordinate with Gretna Public Schools for the modification of the design of their H.W.S. Cleveland paving improvements. The east end of the median must be moved west of 199th Avenue, to allow 199th Avenue and 198th Avenue to be full movement intersections.

8. Coordinate with the Douglas County Engineer’s office on the review, approval, and permitting of all street, grading, sewer, storm sewer, drainage, and utility designs related to the widening/improvement of Q Street.

9. Modify the median in H.W.S. Cleveland Boulevard near Lots 187 and 188 to allow for the eastbound to westbound U-turn movement.

10. Provide traffic calming on all streets longer than 1,000 feet.

11. Provide temporary turnarounds at the terminus of all temporarily dead-ended streets


14. Include the following notes on the plat:
   a. There shall be no direct access to Q Street or 204th Street from any lots or outlots.
   b. No direct access to 201st Street from Lot 1.

15. Coordinate with City Planning and the Parks Department on an acceptable landscaping plan for Outlot E.

16. Show and label the 35 foot wide no-build easement along H.W.S. Cleveland Boulevard, including the east-west section located on the southern boundary of the subdivision and the piece that connects to Q Street.

17. Design of H.W.S. Cleveland Boulevard must be in accordance with the Suburban Park Master Plan, including the design of sidewalks, ornamental lighting, and street trees.

18. Coordinate with the Parks Department on potential cost sharing arrangements with the adjacent SID to the east for construction of Arbor Gate Park (Park 49).

19. Confirm that a 3:1 +20’ slope for all drainage ways are being accommodated within outlots.

20. Revise the tree canopy analysis to show canopy in Lots 39, 176, 177, and 231 as being removed, or this tree canopy must be placed in an outlot.

21. Submit an acceptable Wetlands Analysis and Mitigation Plan. All disturbed wetlands must be mitigated at a 3:1 ratio.

22. Provide the standard noise attenuation easement language on the final plat.

23. Submit the 30 percent design report for the sanitary sewer to the Public Works Design Division per Section 2.14 of the City’s Wastewater Collection Systems Design Manual.

24. Provide sidewalks along all street frontages as required by Section 53-9(9), Sidewalks.

25. Compliance with all stormwater management ordinances and policies.

26. Provide for a pro-rata reimbursement to Gretna Public Schools for their public improvements which abut this subdivision; the reimbursement shall also factor in the Gretna Public Schools contribution to the 201st Street creek crossing at Outlot J.

27. Provide for a pro-rata reimbursement to SID 524 (Coventry) for their intersection and traffic signal improvements at the intersection of 204th Street and George B. Lake Parkway.

28. Revise the Sanitary Improvement District (SID) boundary to include H.W.S. Cleveland Boulevard and 201st Street within the boundary of the District.
29. Revise the Source and Use of Funds (and phasing plans, if necessary) to provide a phase by phase breakdown of the development plans.

30. Provide for the use, ownership, and maintenance of the outlots in the final subdivision agreement.

Mr. Pate seconded the motion which carried 4-0.

(REGULAR AGENDA)

Master Plan Referrals

<table>
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<tr>
<th>5.</th>
<th>C3-20-061 Planning Department on behalf of the City of Omaha</th>
<th>REQUEST: Approval of the 2020 Action Plan</th>
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<td>LOCATION: City of Omaha and the 3-Mile Extraterritorial Jurisdiction</td>
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At the Planning Board meeting held April 1, 2020, Mr. Bill Lukash of the Planning Department appeared before the Board to discuss the 2020 Action Plan. Mr. Lukash explained that the Action Plan details how various grant funds will be allocated to the community. He advised that the department anticipates receiving these funds in June or July. Mr. Lukash pointed out that there were a couple of typos in the report. The Step-up Youth Employment funding total should read $2,661,000; the Workforce Education Innovation Initiative total should be $350,000.

Mr. Morris motioned for approval. Mr. Pate seconded the motion which carried 4-0.

Rezonings

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<th>7.</th>
<th>C10-20-065 Bill Claborn</th>
<th>REQUEST: Rezoning from R2 to R4</th>
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<td></td>
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<td>LOCATION: 12718 Izard Street</td>
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At the Planning Board meeting held April 1, 2020, Mr. Bill Claborn, the applicant, appeared before the Board in support of his request. Mr. Claborn provided a diagram of the pool house and garage for his home as well as showing how it would all be oriented on his property and in relationship to the street. He advised that his neighbor’s house was set back 25 feet from the street, which is what he is proposing for his garage and he believes it to be an “apples to apples” comparison. Mr. Claborn stated that the garage he proposes to build would be of similar high quality materials as his home. He advised that he was not there to argue or be a menace, he just wanted to build a garage which would be set as far from the street as his neighbor’s home.

Mr. Rosenbaum stated that the department and the Board had received several letters from people in the neighborhood who were opposed to the rezoning; he advised there had been no letters of support. Mr. Claborn stated that the problem began when a neighbor came and asked if he was putting up a metal building as a garage, which he stated he is not, then the neighbor told others and the rumor spread around that he was building a metal garage.

In response to questions from Mr. Pate, Mr. Claborn stated that he was not certain whether there was an architectural review committee or restrictive covenants in the subdivision. Mr. Pate encouraged Mr. Claborn to investigate those. Mr. Claborn stated that he preferred the structure to be unattached because he intended to use the building as a pool house and to park his truck. He showed a diagram again on which he pointed out where the pool was in relationship to his home and where he wanted to build the new structure. Mr. Claborn stated that he would do whatever he had to do to comply with the Board’s decision. Mr. Pate stated that he believed it would better conform to the neighborhood if it was an attached structure, Mr. Claborn stated that he was not sure how that could be done and again pointed to the diagram to show the obstacles he was working with. He also provided a former diagram which showed what the area looked like prior to the pool being put in which showed that the garage could have been attached, but the pool ended up being bigger than he initially planned. Mr. Claborn stated that he could go through the process to have it attached but he did not believe it would look as good as the plans he was presenting at the meeting.
Mr. Morris pointed out that it is not the responsibility of the Planning Board to enforce neighborhood covenants and that the City takes no stance regarding the covenants. He that if the Board approved the rezoning, there was nothing to stop the neighborhood association from suing him. Mr. Morris stated that it would be his recommendation to check the covenants before moving forward.

Ms. Dorothy Beer, 12394 Rose Lane, appeared before the Board in opposition. Ms. Beer stated that she represented the Candlewood Homeowners Association board. She stated that she sits on the architectural control committee and that Mr. Claborn has submitted plans to the committee, though they were different from the ones he presented to the Planning Board. She advised that the committee had approved the pool and some other things but were unaware the garage was going to be built. She stated that the garage would be essentially in the front yard. Ms. Beer stated that a retired architect in the neighborhood had offered to show Mr. Claborn how the garage could be situated to be connected to his home, but Mr. Claborn refused the help. Ms. Beer stated that she was present at the meeting to request the Board deny the request. In response to Mr. Moore, Ms. Beer advised that the covenants do not allow detached structures.

Ms. Aimee Melton, City Council representative for District 7, appeared before the Board. Ms. Melton stated that she was neither an opponent nor a proponent, but that she had been contacted by neighbors in Candlewood. She advised that she was at the meeting as their representative due to the social distancing requirements from the Covid 19 directives rather than having all the neighbors come down individually. Ms. Melton stated that her purpose was to let the Board know that several of the neighbors were opposed to the rezoning but that she had told them it would be best to only have one person at the meeting to speak as a representative.

Mr. Eric Englund, Acting Assistant Director, stated that the request was to change the zoning from R2 to R4. He explained that the Master Plan designates this district as low density residential. He stated that one of the differences in the zoning is related to the setbacks. He stated that the R4 zoning would be compliant with the Master Plan because it is low density; however, the zoning throughout the neighborhood is consistently R2 and R3. Regarding corner lots, although two sides of the yard face streets, one is designated a front yard and one is a street side yard. When a lot is vacant, a person has the option to decide which is the front and which is the side and which setbacks to follow; however, once the home is built according to those setback requirements that establishes which setbacks apply to which portion of the lot. Since Mr. Claborn’s home clearly has set the southern street side as the front yard, it needs to comply with the 40 foot setback requirement. Rezoning to R4 would allow for a 25 foot front yard setback but based on the dominant zoning throughout the neighborhood the department is recommending denial of the R4 zoning but recommends approval of rezoning to R3.

Mr. Bill Claborn, 12718 Izard Avenue, returned to address the concerns expressed by Ms. Beer. Mr. Claborn stated that the architect Ms. Beer mentioned had come to his house and asked if he was building a metal garage and that was it. He stated that this person had never said anything about working with him to make the garage more compliant with what the neighbors wanted. Mr. Claborn stated that he was willing to work with the Board to follow the regulations as they recommended.

Mr. Eric Englund stated that the R3 would require a 35 foot setback. He advised that the city and the Board are not parties to neighborhood covenants. The department does not research, review, or investigate neighborhood covenants when a permit request comes in, the department only checks for compliance with the zoning code.

Mr. Rosenbaum called Ms. Beer back at her request to provide information she had forgotten previously. She stated that another concern is that there will be a “huge amount” of impervious structures and concrete on the site. She stated that she believed the amount that would be there exceeded what was allowed by City code.

Mr. Rosenbaum advised that, at the Pre-Meeting, the Planning Department advised they recommended denial of the rezoning of R4 but would approve rezoning to R3. Mr. Rosenbaum stated that at that meeting he had said he did not believe the Board should allow one person to rezone when everyone else in the neighborhood is in compliance with the zoning.

Mr. Pate motioned to deny the request. Mr. Moore seconded the motion which carried 4-0.
APPROVAL OF MINUTES

Mr. Pate moved to approve the minutes of the March 4, 2020 Planning Board pre-meeting as written. Mr. Morris seconded the motion which carried 3-0, Mr. Morris abstained.

Mr. Pate moved to approve the minutes of the March 4, 2020 Planning Board meeting as written. Mr., Moore seconded the motion which carried 3-0, Mr. Morris abstained.

ADJOURNMENT

It was the consensus of the Board to adjourn the meeting at 2:41 p.m.

______________________________________
Date Approved

______________________________________
Greg Rosenbaum, Chairman

______________________________________
Lisa Agans, Planning Board
Recording Secretary

If alternative (tape) to the agenda is needed, please advise the Board Secretary at (402) 444-5150 Ext. 2013. A 72-hour advance notice is required.