MEMBERS PRESENT:        Greg Rosenbaum, Chairman  		Trenton Magid  		David Rosacker  		Jeffrey Moore       		Michael Pate  		Patrick Morris

MEMBERS NOT PRESENT:   Kristine Karnes, Vice Chair

STAFF PRESENT:         Dave Fanslau, Planning Director  		Eric Englund, Acting Current Planning Manager  
		Michael Carter, Planning Board Administrator  
		Cheri Rockwell, Acting Assistant Planning Director  
		Debbie Hightower, Recording Secretary

Greg Rosenbaum, Chairman, called the pre-meeting to order at 11:30 a.m.


Jennifer Taylor, City Law Department, briefly discussed with the Board the case regarding the Amendment to the Campus for Hope Redevelopment Plan. The amendment is to allow the City to participate in the proposed development. The purpose is to construct a 43,000 sq. ft. shelter for 400 homeless men and women and expand services. She added that Omaha Shelter for Homeless Trust will do the fundraising.

Bill Lukash, Acting Assistant Director of Housing and Community Development, briefly discussed with the Board the 2018 Action Plan.

Don Seten, City Planner for Housing and Community Development, discussed two TIF projects, Dahlman Rows and Urban Chiral Condominiums. He briefly discussed ownership of the site, rehabilitation of existing areas, new construction aspects, the existing public easement and public improvements for the proposed project.

Eric Englund, Acting Current Planning Manager, briefly reviewed with the Board the applicant submittals for items #1 through #16 on the Agenda. He noted that the applicant will need to work with NRD for an acceptable layout of the proposed development and a wetland mitigation plan for item #5. He stated that the extension of 186th Avenue and copy of the covenants would need to be addressed for item #2. Mr. Englund then noted #3 and #14 would be heard together but voted on separately: 1) preliminary plat and rezoning, 2) PUD Overlay District, 3) CUP for religious assembly, 4) SUP for daycare, and 5) SUP for low density assisted living on a 21 acre site with 4 lots and 4 outlots. Mr. Englund briefly discussed that further review of several items would need to be worked out on #8 and the final designs will have to meet code on #11. Mr. Englund noted that items #10 through #12 were placed on the Consent Agenda for approval. He also stated that #13 was placed on the Consent Agenda for layover because of the height and design and #15 also recommended for layover to allow more time for an acceptable design of the wall/screen.
Greg Rosenbaum, Chairman, 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.

ADMINISTRATIVE MEETING ONLY

| 1. | C10-17-215 – (D) C12-17-216 CC Military LLC | REQUEST: Final Plat approval of COPPER CREEK (Lots 1-92 and Outlots A-G), a subdivision outside the city limits, with rezoning from AG to DR and R5 (portions of the property are located within the FF-Flood Fringe Overlay District) | LOCATION: Southeast of 168th Street and Military Road |

At the Planning Board meeting held on April 4, 2018, this case was placed on the Consent Agenda. Mr. Pate moved to layover the request to allow the applicant time to submit a wetland mitigation plan and continue to coordinate with the Papio-Missouri River Natural Resources District to determine if they are acceptable to the layout of the proposed development. Mr. Morris seconded the motion which carried 6-0.

Subdivisions

| 8. | C10-18-059 – (D) C12-18-060 Ehrhart Griffin & Associates for Sage Capital | REQUEST: Preliminary Plat approval of PRESERVE ON PACIFIC ADDITION, a subdivision inside the city limits, with rezoning from R1 to R5 | LOCATION: 9402 Pacific Street |

At the Planning Board meeting held on April 4, 2018, this case was placed on the Consent Agenda. Mr. Pate moved to layover the request. Mr. Morris seconded the motion which carried 6-0.
### Rezonings

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Requestor</th>
<th>Request</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>11. C10-18-066 (D)</td>
<td>Ryan Miller and Vijay Malik</td>
<td>Rezoning from GC to NBD (property is located within an ACI-1 Overlay District)</td>
<td>3924 and 3926 Harney Street</td>
</tr>
<tr>
<td>12. C10-18-068 (D)</td>
<td>Zach Atchley</td>
<td>Rezoning from HI to NBD (property is located within an ACI-1 Overlay District)</td>
<td>1217 Pacific Street</td>
</tr>
</tbody>
</table>

At the Planning Board meeting held on April 4, 2018, this case was placed on the Consent Agenda. Mr. Rosacker moved for approval. Mr. Morris seconded the motion which carried 6-0.

### Administrative Meeting Only

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Requestor</th>
<th>Request</th>
<th>Location</th>
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</thead>
<tbody>
<tr>
<td>2. C10-17-243 C12-17-244 18818 Fort LLC c/o Brad Brooks</td>
<td>Final Plat approval of ENCLAVE FLATS, a subdivision outside the city limits, with rezoning from AG to DR and R4</td>
<td>18818 Fort Street</td>
<td>Southeast of 188th Street and Military Road</td>
</tr>
</tbody>
</table>

At the Planning Board meeting held on April 4, 2018, Eric Englund, Acting Planning Manager, presented the request. Mr. Englund stated that the Planning Board recommended approval of the preliminary plat in November 2017 and City Council subsequently approved on January 30, 2018. He added that the development is adding 2 lots including 107 single-family residential lots and space for drainage purposes and associated right-of-way. The extension of 186th Avenue and the applicant providing a copy of the proposed covenants need to be addressed prior to forwarding to City Council. The final plat is consistent with the approved preliminary plat and the ordinances of Chapter 53 of the Omaha Municipal Code. He stated that the Department recommends approval of rezoning and approval of the final plat subject to the conditions of the preliminary plat approval and addressing the three items listed in the recommendation report prior to forwarding to City Council.

Mr. Magid moved for approval of rezoning from AG to DR and R4 and approval of the final plat, subject to the conditions of preliminary plat approval and addressing the following items prior to forwarding the request to City Council: 1) Submittal of an acceptable final subdivision agreement; 2) dedicate right-of-way and extend 186th Avenue as a stub street to the west boundary of the subdivision; and 3) provide the City a copy of the proposed covenants that includes a statement that 189th Street will be extended to the north to connect to future developed areas, at such time as future development occurs. Mr. Pate seconded the motion which carried 6-0.

### (Hold Over Cases)

### Subdivisions

(Item numbers 3 and 14 were heard concurrently, but voted on separately)

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Requestor</th>
<th>Request</th>
<th>Location</th>
</tr>
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<tbody>
<tr>
<td>3. C11-18-038 C10-18-039 C12-18-040 All Holy Spirit Greek Orthodox Church</td>
<td>Preliminary Plat approval of EVERT PLACE, a subdivision outside the city limits, with rezoning from AG to DR, R5 and R6 along with approval of a PUD-Planned Unit Development Overlay District (laid over from 3/7/18)</td>
<td>Northwest of 192nd Street and Grey Fawn Plaza</td>
<td></td>
</tr>
</tbody>
</table>

At the Planning Board meeting held on April 4, 2018, Jason Thielen, E & A Consulting Group, 10909 Mill
Valley Road, appeared before the Board on behalf of the applicant. Mr. Thielen noted that the pre-application meeting was in March 2017 with a second meeting in April 2017 and as developers came and went the project moved forward. There were discussions with the Knicely’s and continued to work with Mr. Judd Beller, owner of the adjacent property and Kurt Hofer with Avenue One. There was a neighborhood meeting held on February 21, 2018 with several neighbors and representatives from the Fire Ridge Neighborhood Association. The project is located on 21 acres at the corner of Grey Fawn Parkway and 192nd Street. The R6 PUD, which is being laid over, will be 36 market rate apartment units with garages underneath and will meet all regulations. The day care on the site will be approximately 10,000 square feet in the R5 district. Another component of the project will include 54 assisted living units and 24 memory care units. The religious assembly use will be 32,000 square feet of building to be built in a couple of phases.

In response to Mr. Pate, Thielen answered that the church will only operate the religious assembly and will not operate the other facilities.

Mr. Thielen discussed the access with regard to the adjacent Avenue One project. There will be a connection to Fire Ridge which has neighbors concerned but that is a request of Public Works. He discussed the access to Grey Fawn Parkway and the wetlands delination being in an outlot. He requested to further work with staff to determine the future right-of-way dedication as requested in condition #1. He further discussed the Conditional Use Permit for the church with regard to the sidewalk being impractical because of the tremendous amount of grade. Mr. Thielen offered to answer any questions.

Brent Beller, 11440 West Center Road, appeared before the Board on behalf of Jude Beller, adjacent property owner. Mr. Beller stated that Jude Beller is not opposed to the development but has concerns and would like further discussions on how to address the natural landscaping buffer/screening on the north side of their property and along Grey Fawn Parkway.

Susan Knicely, 930 S. 192nd Street, appeared before the Board in opposition. Ms. Knicely stated that she met with the church and potential buyers of her adjacent property for assisted senior living and discovered that the church had been in discussion with the assisted living people and had lured them over. She stated that she suspected the assisted living people were offered no cost for infrastructure and it would definitely be more appealing to move to the adjacent site. Ms. Knicely stated that there was no opportunity to proceed with the operation and development without a buyer or cooperation from the developer. She explained that her property is six acres therefore there is a need to have a more dense use to carry or share the costs of the infrastructure. Ms. Knicely requested that the access of Grey Fawn Parkway be resolved before there is any approval on density and any change to the conditional uses and sidewalks and buffers also need to be addressed.

James Dean, 503 S. 195th Street, appeared before the Board in opposition. Mr. Dean stated that he is a resident of Fire Ridge and also on the Fire Ridge HOA board. He further stated that his property backs up to the proposed church property and requested that the area be cleaned up, the dead trees be replaced, mulch added and the area maintained.

Dan Botos, 19503 Harney Street, appeared before the Board in opposition. Mr. Botos stated that he would like the same consideration from the buffering standpoint and treeline issue. He also objects to the Harney Street connection and the design of the street with regard to the curve of the street as a safety issue.

Dave Skibinski, 19516 Harney Street, appeared before the Board in opposition. Mr. Skibinski stated he also has concerns with the Harney Street connection and submitted a petition with signatures opposed to the Harney Street connection.

Susan Knicely, 930 S. 192nd Street, stated she would be willing to donate land to develop a ¼ mile at the correct connection.

Jason Thielen, 10909 Mill Valley Road, responded to concerns. Mr. Thielen stated there is a mitigation component to the project by recreating a canopy on site and grouping of trees. He stated the parking lot distance is about 150 feet and sits 10-12’ down from the property line therefore there is not much room for expansion. Mr. Thielen agrees with the neighbors that an L or a 90 degree access is more desirable. He also addressed Ms. Knicely’s concerns and the proposed street connections with regard to safety.
Jeffrey Moore, Board member, questioned the idea of a different route from HWS Cleveland. Jason Thielen stated he has not looked at a different option because Public Works requested the proposed access where there are streets already.

Greg Rosenbaum pointed out that the east end of Harney Street has been a stub street with a temporary turnaround ever since the first development and has always been intended to be a connector street. Dave Skibinski made the point that the connector street will tie in to commercial instead of residential.

Eric Englund, Acting Planning Manager, stated that the department is recommending approval of the rezoning subject to submittal of acceptable final PUD plans before forwarding the request to City Council and approval of the preliminary plat, subject to the 29 conditions listed in the recommendation report, prior to or concurrent with submitted of the final plat.

Mr. Moore moved for approval of the rezoning from AG to DR, R5, and R6, subject to submittal of acceptable final PUD plans prior to forwarding this request to the City Council. Approval of the Preliminary Plat, subject to the following conditions being addressed prior to or concurrently with the Final Plat: 1) The applicant must coordinate with Public Works on the required dedication that may be required beyond 50 foot along 192nd Street to accommodate upcoming improvements; 2) Remove the Harney Street temporary turnaround at Outlot A of Fire Ridge Estate Replat 6; 3) Construct a temporary turnaround at the new termination of Harney Street at the north boundary of the subdivision; 4) Coordinate with the Avenue One development on a mutually acceptable location and design for the future Harney Street connection; 5) Provide for traffic calming on all streets longer than 1,000 feet; 6) Pave all stub streets to the property line and provide a temporary turnaround; 7) Acquire the property for the western part of the A Street ROW (west of Lot 4) and either record a paper ROW dedication concurrently with the plat, or include the full width of the ROW on the plat; 8) Coordinate with Public Works on acceptable barricading to prohibit access from Grey Fawn Plaza to Street A; 9) Grant a noise attenuation easement along 192nd Street 115 feet from the centerline, and place that standard noise attenuation easement language on the plat; 10) Either dedicate ROW and pave a public street between Street A and the adjacent property north and east of Lots 2 and 3, or pave a public access drive between the east-west access drive and the adjacent property; 11) Place the following notes on the plat: a) No direct access to 192nd Street from Outlot B, and b) Lot 3 shall be permitted one access to 192nd Street at the location of the public access easement (required to be an outlot); this intersection at 192nd Street shall be limited to a right-in/right-out access at the time of future 192nd Street improvements; 12) Grant public access easements on the public access drives; 13) The private street in Lot 3 must be in its own outlet; 14) Provide a contribution to future 192nd Street improvements; 15) Coordinate with Public Works for a determination on whether or not the proposed 192nd Street deceleration lane will be required; 16) Any new or revised street connections, to 192nd Street, will require a permit from the Douglas County Engineer’s office; 17) Provide a note on the final plat that the private street connections, to 192nd Street from the site, may be restricted to right-in/right-out vehicular turning movements at the time that 192nd Street is upgraded to a 4-lane section with raised medians; 18) Temporary turn-arounds should be provided at the terminus of all temporarily dead-ended streets; 19) If the subdivision will not be located in a Sanitary Improvement District, a maintenance agreement will be required before Douglas County will provide routine maintenance of public streets; 20) 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 192nd Street; 21) Sidewalks must be provided adjacent to all street frontages including the private street within the outlot, in compliance with city code; 22) Proposed site grades along the eastern boundary of the platting, adjacent to 192nd Street, must be coordinated with the future improvement of the roadway; 23) Compliance with all applicable stormwater management ordinances and policies; 24) The applicant must provide for the use, ownership and maintenance of the outlots in the final subdivision agreement; 25) Provide a letter from Douglas County Emergency Management office confirming that acceptable emergency warning siren is being provided for the area; 26) A final wetlands analysis must be submitted to ensure that the wetland is contained in the outlot and that there are no other wetlands on the site; 27) A letter of approval of a Noxious Weed Plan from Douglas County; 28) Submitting an acceptable tree canopy analysis and mitigation plan substituting Amur Maple’s with another acceptable, understory species; and 29) meeting an acceptable debt ratio. Mr. Magid seconded the motion which carried 6-0.

Eric Englund, Acting Planning Manager, stated that the department is recommending layover of the PUD to allow for a few minor details including a slightly alternate design.
Mr. Moore moved to layover the PUD request. Mr. Morris seconded the motion which carried 6-0.

<table>
<thead>
<tr>
<th>14.</th>
<th>C8-18-071</th>
<th>REQUEST: Approval of a Special Use Permit to allow Assisted living in a R5 District, approval of a Special Use Permit to allow Daycare services (general) in a R5 District and approval of a Conditional Use Permit to allow Religious assembly in a R5 District, with a waiver of Section 55-206, Height for a 55 foot tall church and steeple.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>C8-18-072</td>
<td>LOCATION: Northwest of 192nd and Grey Fawn Plaza</td>
</tr>
<tr>
<td></td>
<td>C7-18-074</td>
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<tr>
<td></td>
<td>All Holy Spirit Greek Orthodox Church</td>
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At the Planning Board meeting held on April 4, 2018, Eric Englund, Acting Planning Manager, stated that the department is recommending approval of the Special Use Permit to allow Assisted living subject to the seven conditions listed in the recommendation report.

Mr. Rosacker motioned for approval of the Special Use Permit to allow Assisted living in a R5 District, subject to the following being addressed prior to the request being forwarded to the City Council: 1) Submittal and compliance with a revised site plan providing the required 15 feet of street yard landscaping from the north property line; 2) Submittal and compliance with a revised landscape plan providing the required additional trees and required screen for parking lots; 3) Compliance with the submitted elevation plan; 4) Compliance with the submitted operating statement; 5) Provide documentation verifying the maximum height of the building is 35 feet as calculated by the definition in Section 55-21, Height; 6) Compliance with all applicable stormwater management ordinances and policies, including providing for a no net increase in stormwater runoff and treat the first ½” of stormwater for water quality; and 7) Compliance with all other applicable regulations. Mr. Moore seconded the motion which carried 6-0.

Eric Englund, Acting Planning Manager, stated that the department is recommending approval of the Special Use Permit to allow Daycare services (general) subject to the seven conditions listed in the recommendation report. This request will require approval of a waiver from the Zoning Board of Appeals. The zoning code limits the capacity of a daycare in a low density residential districts to 12 individuals but the code was intended to allow that limit for single-family residential structures, which is not the case for this site, therefore the department is supportive of the waiver.

Mr. Pate moved for approval of the Special Use Permit to allow Daycare services (general) in a R5 District, subject to the following being addressed prior to the request being forwarded to the City Council: 1) Submittal and compliance with a revised site plan removing the private street from the proposed lot and placing it within its own outlot; 2) Submittal and compliance with a revised landscape plan providing the required trees and landscape screen for parking lots; 3) Submittal and compliance with an acceptable, revised elevation plan for all sides of the building; 4) Approval of the necessary waiver for capacity of the daycare from the Zoning Board of Appeals; 5) Compliance with the submitted operating statement; 6) Compliance with all applicable stormwater management ordinances and policies, including providing for a no net increase in stormwater runoff and treat the first ½” of stormwater for water quality; and 7) Compliance with all other applicable regulations. Mr. Rosacker seconded the motion which carried 6-0.

Eric Englund, Acting Planning Manager, stated that the department is recommending approval of the Conditional Use Permit to allow Religious assembly in R5 district with a waiver of Section 55-206, height for a 55 foot high church and steeple. The zoning code allows the Planning Board or City Council to waive height with a use permit therefore the waiver would not need to go to the Zoning Board of Appeals.

Mr. Magid moved for approval of the Conditional Use Permit to allow Religious assembly in a R5 District with a waiver of Section 55-206, Height to 55 feet, subject to the following: 1) Submittal and compliance with a revised site plan that removes the parking lots from the front yard setback along the east property line and provides a sidewalk connection to Street B; 2) Submittal and compliance with a revised landscape plan in compliance with the zoning code including seven additional trees along Street B and the required screening for parking lots; 3) Submittal and compliance with an acceptable, revised elevation plan for all sides of the building; 4) Compliance with the submitted operating statement; 5) Compliance with all applicable stormwater management ordinances and policies, including providing for a no net increase in stormwater runoff and treat the first ½” of stormwater for water quality; and 6) Compliance with all other
applicable regulations. Mr. Moore seconded the motion which carried 6-0.

(REGULAR AGENDA)

Master Plan Referrals

| 4.          | C3-18-026 | Planning Department on behalf of the City of Omaha | REQUEST: Approval of the DAHLMAN ROWS TIF REDEVELOPMENT PROJECT PLAN | LOCATION: 1903 South 7th Street |

At the Planning Board meeting held on April 4, 2018, Don Seten, City Planner for Housing and Community Development, presented the request. Mr. Seten stated that the Dahlman Rows TIF Redevelopment Project Plan is located two blocks south of Dahlman Park on a site with a little more than one acre. Mr. Seten stated that the project involves the development of 34 for-sale market rowhouse units with a mix of two and three bedroom units in 8 structures. The owner/developer is Dahlman Rows LLC and Benjamin Katt is the managing member. He stated that the parcel is now vacant and was previously overgrown and neglected in the past, the site had been under-utilized and has been cleared. The land use had been a commercial greenhouse. The developer reached out to the neighborhood and modified the design of the project based on neighborhood input. There will be a substantial amount of public improvements to include utility lines going through the site and improvements to Cedar Street which is presently a gravel street. The project will be a $10.3 million investment with $1,750,000.00 TIF requested. The project is consistent with the City Master Plan and meets the criteria requirement for the TIF program.

In response to Pate, Mr. Seten stated that there is off-street parking.

Brent Beller, 11440 West Center Road, appeared before the Board on behalf of the developer and offered to answer any questions.

Eric Englund, Acting Planning Manager, stated that the department recommends approval.

Mr. Morris moved for approval. Mr. Moore seconded the motion which carried 6-0.

| 5.          | C3-18-057 | Planning Department on behalf of the City of Omaha | REQUEST: Approval of the URBAN CHIRAL CONDOMINIUMS TIF REDEVELOPMENT PROJECT PLAN | LOCATION: 714 South 15th Street |

At the Planning Board meeting held on April 4, 2018, Don Seten, City Planner for Housing and Community Development, appeared before the Board and presented the request. Mr. Seten stated that the Urban Chiral Condominiums TIF Redevelopment Project Plan is located downtown at 714 South 15th Street. Mr. Seten stated that the project involves a full and complete rehabilitation of the 1910 historic building, two-story structure that was placed on the National Register in 2011. He stated the rehab project will be three condominiums units with two units being residential on the upper level and a commercial unit on the lower level. Public improvements will include sidewalks, landscaping, streetscaping and alley improvements. The project will be approximately $3.5 million with $348,436.00 TIF requested. The project complies with the City Master Plan and meets the criteria requirement for the TIF program.

Kendra Ringenberger, 1318 N. 187th Street, appeared before the Board, on behalf of Urban Chiral and offered to answer any questions.

Eric Englund, Acting Planning Manager, stated that the department recommends approval.

Mr. Magid moved for approval. Mr. Moore seconded the motion which carried 6-0.

| 6.          | C3-95-072 | Planning Department on behalf of the City of Omaha | REQUEST: Approval of an amendment to the CAMPUS FOR HOPE REDEVELOPMENT PLAN | LOCATION: Northwest of 16th and Nicholas Streets |

At the Planning Board meeting held on April 4, 2018, Jennifer Taylor, City Law Department, appeared
Planning Board Agenda  
April 4, 2018  
Page 8

before the Board, on behalf of the City Planning Department to present the request. Ms. Taylor stated that the original redevelopment plan was approved in 1995 and was further amended in 2008 to facilitate the major buildings that were constructed to support the Siena Francis House and the services they provide. The proposed amendment will continue those efforts and the proposed project is located primarily along the eastern and southern end of the redevelopment area along 16th and Nicholas. The current uses in the area are the Siena Francis House which houses the men’s emergency overnight shelter as well as various administrative facilities and 1702 Nicholas which is the original shelter building which houses the emergency overnight shelter for women and the men’s and women’s recovery program. There is also a smaller building at 1624 Nicholas which houses the current day shelter services provided by Siena Francis House. The plan amendment proposes five different projects, a number of which will be undertaken by the City but the major construction project will be undertaken by the Omaha Shelter for Homeless Trust which will fundraise $15,000,000.00 to construct a 43,000 square foot facility. The plan amendment will allow the City of Omaha to participate in the project by undertaking the remediation of the property along 16th Street on the east side of the redevelopment area which previously housed a salvage yard as well as demolition of the existing day services program at 1624 Nicholas. The City will also install streetscaping along Nicholas and 16th Street and will propose to demolish the shelter building at 1702 Nicholas in the future to further make way for future development. After the site preparation work has been completed by the City, a new shelter building will be constructed. She stated that in addition, the City will vacate two alleys. The Siena Francis House owns all the property therefore the City will work with them to complete the project. Ms. Taylor offered to answer any questions.

David Lempke, 8404 Indian Hills Drive, architect for HDR, appeared before the Board and offered to answer any questions.

Catherine French, Lamson, Dugan and Murray, 10306 Regency Parkway, legal counsel representing Omaha Shelter for Homeless Trust, appeared before the Board and offered to answer any questions.

In response to Mr. Pate, Ms. Taylor answered that the City will undertake the demolition of the day services building within the next couple of months and will commence and complete the remediation work by August through October of 2018 with the construction to begin contingent upon the necessary funds being raised.

Eric Englund, Acting Planning Manager, stated that the department recommends approval.

Mr. Magid moved for approval. Mr. Moore seconded the motion which carried 5-0-1 with Mr. Morris recusing himself.

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<thead>
<tr>
<th>7.</th>
<th>C3-18-058</th>
<th>LOCATION:</th>
<th>Approval of the 2018 Action Plan</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Planning Department on behalf of the City of Omaha</td>
<td>Omaha and 3-mile extraterritorial jurisdiction</td>
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</tbody>
</table>

At the Planning Board meeting held on April 4, 2018, Bill Lukash, Acting Assistant Director of Omaha Planning Board, appeared before the Board and presented the 2018 Action Plan. Mr. Lukash stated that the estimated amount of funding, which is based on the previous two years, would be approximately $4.2 to $4.3 million for CDBG funds, $1.6 million for HOME funds and $380,000.00 for Emergency Solutions Grant funds. Mr. Lukash offered to answer any questions.

Eric Englund, Acting Planning Manager, stated that the department recommends approval.

Mr. Magid moved for approval. Mr. Moore seconded the motion which carried 6-0.

**Subdivisions**

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<thead>
<tr>
<th>9.</th>
<th>C10-18-061 C12-18-062 Woodsonia-204 Center, LLC</th>
<th>REQUEST:</th>
<th>Preliminary Plat approval of WEST CENTER COMMONS, a subdivision located outside the city limits, with rezoning from AG to MU</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>LOCATION:</td>
<td>Southeast of 204th Street and West Center Road</td>
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At the Planning Board meeting held on April 4, 2018, Larry Jobeun, 11440 West Center Road, appeared...
before the Board on behalf of the applicant. Mr. Jobeun stated that the property is located at the southeast corner of 204th and West Center Road with undeveloped property to the east and west, farmland to the south along with The Rock Place, an existing business. He stated that the site is approximately 36.51 acres with 23.87 usable acres and approximately 3.35 acres of outlots and the remainder is dedicated right-of-way. There are three outlots: 1) outlot “A” is the drainage way and green space; 2) outlot “B” is a roadway on the south side of the property between the east and west side of the property which will be a dedicated right-of-way to the east and south of the proposed development; and 3) outlot “C” is a detention basin which provides access to outlot “A”. The rezoning from Agricultural to Mixed Use will create 8 developable lots: Lot 1 is a proposed “C” store, Lots 2, 3 and 4 are proposed retail uses, Lot 5 is shown to be a 20,000 square foot office building, Lot 6 is a dance studio, Lot 7 is a 69 unit high end car condominium project with a clubhouse facility and a portion of the square footage will be for retail and high end retail sale of cars which is the first of its kind in the metropolitan area, and Lot 8 will be a multi-family portion of the development with three buildings between 3 and 4 stories with retail on the first floor and apartment units on the upper levels and a linear plaza space to include street trees and decorative lighting.

Mr. Jobeun discussed the access which has controlled access from between West Center Road and the third quarter mile. He indicated that a traffic study has been completed and there will be a traffic signal from day one. He stated that access will be given to The Rock Place and the developer will continue to work with The Rock Place owner as well as City staff and Public Works staff to determine the appropriate configuration of the roadway system but it is important to note that it will be a public street that will be paved to the eastern boundary and The Rock Place will have access onto the public street in whatever location they choose to have. Mr. Jobeun offered to answer any questions.

In response to Pate, Mr. Jobeun answered that the S.I.D. will pay for the improvements on 204th Street including the traffic signal. Mr. Jobeun confirmed that the traffic signal will have to be installed before there is a Certificate of Occupancy.

In response to Mr. Rosenbaum, Mr. Jobeun stated that Lot 7 will be 69 individual garages with restrooms where high end cars are stored along with a clubhouse. Each garage will cost approximately $180,000.00.

Rodney Dahlquist, 1403 Farnam Street, appeared before the Board on behalf of The Rock Place located at 3405 South 204th Street. Mr. Dahlquist stated that his client objects to the proposed ingress and egress on 204th Street. He stated that there is concerns regarding the proposed access and turning radius for the large trucks/semis that deliver large rocks and boulders. He stated that the 24 hour traffic study that was done in February is not representative of the amount of traffic that would access the road during the summer when traffic is at a much higher frequency. Mr. Dahlquist proposed another option allowing the delivery trucks/semis to make a safe navigation to the storage area where they load and unload.

Ryan Haas, City of Omaha Public Works Department, stated that the staff recognizes the importance of the proposed subdivision project to succeed as well as other developments to the east and south and the goal would be to end up with an acceptable solution that works for everyone including the outbound customer traffic and semi-truck movements.

Larry Jobeun stated that there will be a rededication of the right-of-way with a revised preliminary and final plat. Mr. Jobeun stated that currently 25’ of the right-of-way is on the north side of the property line and 25’ is on the south side of the property line but 50-100% of the right-of-way alignment could be pushed to the property line on the north. He stated that they are willing to work with Public Works and The Rock Place with regard to the alignment of the intersection and the alignment of the roadway as well as the configuration of the intersection with respect to the functionality.

Jeff Elliott, Woodsonia Real Estate, 17700 Marcy Street, appeared before the Board. Mr. Elliott stated that road systems are usually designed to follow the most amount of traffic as easy as possible. He stated that traffic would function and flow better into the subdivision but the radius could be designed wider to handle semi-truck traffic for enough of a turning radius.

Eric Englund, Acting Planning Manager, stated the intersection of 204th and West Center Road is the largest mixed use area with up to 165 acres available for office and commercial. Mr. Englund pointed out that the northwest corner of the intersection has accounted for about 15.5 mixed-use acres subject to an acceptable mixed-use plan with rezoning from AG to MU would be consistent with the future land use
elements and the City’s Master Plan. He stated that the department recommends approval of the rezoning from AG to MU, subject to submittal of an acceptable Mixed Use District Development Agreement, prior to forwarding the request to City Council and approval of the preliminary plat subject to the 18 conditions listed in the recommendation report with or prior to submittal of the final plat.

Mr. Pate moved for approval of the rezoning from AG to MU, subject to submittal of an acceptable Mixed Use District Development Agreement, prior to forwarding the request to City Council. Approval of the Preliminary Plat, subject to the following being addressed with or prior to submittal of a Final Plat: 1) A temporary turn-around must be provided at the terminus of all stub or temporary dead-ended streets; 2) Provide for all improvements identified in the final approved traffic study, as approved by Nebraska Department of Transportation (NDOT) and Public Works; 3) Provide an access easement between Outlot A and Spring Street; 4) Place a note on the plat that there shall be no access to 204th Street from Lots 1-3 or Outlot A and that there shall be no access to West Center Road from Outlot A; 5) The mixed use development plan must be revised for access as follows: a) permitted access for Lot 1 shall be limited to a shared access on the common lot line with Lot 2 and, b) a right-in/right-out access on the south end of Lot 1; 6) Coordinate with Public Works to verify that all commercial standards are being met for the public streets (minimum horizontal curve radius, pavement thickness, etc.); 7) In lieu of Outlot B, dedicate a 50’ right-of-way and pave a public street along the southern edge of the subdivision to connect to the property to the east; 8) Coordinate with the property owner to the south of the subdivision on an acceptable access condition to serve their existing property, and for the location of the future street connection; 9) Dedicate right-of-way to 1 foot behind the sidewalk adjacent to the proposed on-street parking; 10) Coordinate with Public Works on the design of the on-street parking; remove the parking from the horizontal curve at the north end of Lot 8; 11) The drainageway must be placed in an outlot sized to accommodate either the 3:1+50’ section or the 100 year stormflow (whichever is greater); 12) Provide for the use, ownership and maintenance of all outlots in the final subdivision agreement; 13) Comply with all applicable stormwater management ordinances and policies, including providing for a no net increase in stormwater runoff and must treat the first ½” of stormwater for water quality; 14) Provide sidewalks along all street frontages, in compliance with city code; 15) Submittal of a final wetlands analysis and mitigation plan, if necessary; 16) Submittal of a letter of approval of a Noxious Weed plan from Douglas County; 17) Submittal of a letter from Douglas County Emergency Management confirming that acceptable emergency warning is being provided for the area; and 18) Provide an acceptable debt ratio of 4% or less. Mr. Morris seconded the motion which carried 5-0-1 with Mr. Rosacker recusing himself.

At the Planning Board meeting held on April 4, 2018, Brent Beller, 11440 West Center Road, appeared before the Board on behalf of the developer. Mr. Beller stated that the proposed preliminary and final plat and proposed PUR submitted are consistent with the Master Plan. He stated the proposed site is just over one acre with one single-family residence that will remain, otherwise the site was a former floral operation that has been demolished. The proposed project will include 30 units; 15-two bed and 2.5 baths, and 15 units with three bed and 3.5 baths with garage parking and roof top decks. He further stated that the public improvements include the repaving of Cedar Street and the installation of sidewalks and landscaping. Mr. Beller offered to answer any questions.

Jeff Peters, 1901 South 7th Street, appeared before the Board in opposition. Mr. Peters stated he is the owner of the single-family dwelling located on the southeast corner of 7th and Center Street. He stated he is not a strong opponent to the project but has concerns because his home sits on the south property line and one of the proposed buildings will be located 5 feet from his property line which will completely hinder any view. He requested that the proposed unit be set back 15 to 20 feet from his property line.

Mary Thompson, 1309 South 6th Street, President of the Dahlman Neighborhood Association, appeared before the Board in opposition. Ms. Thompson stated that there has been no dialogue or contact with the neighborhood from the developer. She requested that the project be laid over until a meeting can be held.
with the developer.

Marie Sedlacek, 1015 William Street, member of the Dahlman Neighborhood Association, appeared before the Board on behalf of Arnie Breslow, Old Market Neighborhood Association. Ms. Sedlacek stated she is not opposed to the project but would like to be part of the process with regard to the developer meeting with the neighborhood. She also stated there is concern with increased density and the displacement of single-family homes. Ms. Sedlacek requested that the project be laid over until there is a meeting with the developer.

Brent Beller, 11440 West Center Road, addressed the concerns of the neighbors. He stated that there was a meeting with the developer in February and a follow-up meeting in March. The meetings were held at 35th and Center at the office of the developer.

Greg Rosenbaum suggested that the developer work with Jeff Peters to redesign the location of the building that is within 5 feet of his property line or the possibility of reducing the total number of units.

Ben Katt, 3501 Center Street, developer, appeared before the Board. Mr. Katt stated that the site has been a very challenging infill site therefore there are only certain places where the individual buildings can be located. He stated the first neighborhood meeting was in mid February with approximately 20 neighbors in attendance. Mr. Katt stated he took the feedback from the first meeting and did a full redesign with a follow-up meeting in March. He further stated that the project would not be feasible if there were less than 30 units on the site because of the infrastructure costs.

Don Seten, City Planner, stated that in regard to the TIF project plan, the amount of incremental increase in value would need to be evaluated if the project were to change.

Marie Sedlacek, 1015 William Street, asked if case #4 and #10 should have been heard together. Mr. Rosenbaum answered that both cases are different and even though the TIF has been approved, the preliminary and final plats would still need approval before TIF could proceed. Mr. Seten clarified that the approval of TIF states very clearly that all City zoning requirements need to be complied with. In response to Mr. Rosenbaum, Mr. Seten answered that if the units are reduced to 29 and the final incremental value is not sufficient then the TIF project plan would need to be amended before going to City Council. Additionally, he also stated that the amount of requested TIF may need to be reduced unless the sales price of the units are increased.

In response to Mr. Pate, Mr. Beller answered that the proposed sale price of the two bedroom units with 2.5 baths would be $270,000.00 and the three bedroom units with 3.5 baths would be in the $320,000.00 range.

In response to Mr. Rosenbaum, Jeff Peters stated that he reviewed the proposed plans at the first meeting and later clarified the location of his property line which he brought to the developer’s attention at the second meeting but was told that the project would not be economically feasible if there were less than 30 units. Mr. Katt stated that the site has been very expensive to develop, there are a lot of soft costs and geo-tech issues related with the project, TIF makes it work and it would likely be too tight to make the project work if the units are reduced.

Patrick Morris, Board member, stated he is sympathetic with Mr. Peter’s situation but with the present GC zoning it could be something a lot different that would not fit in the neighborhood. Mr. Rosacker commented that a 5 foot setback is not an unusual setback.

Mary Thompson, President, Dahlman Neighborhood Association, stated she does not live within 300’ but would have liked to have been included at the neighborhood meetings.

Eric Englund, Acting Planning Manager, stated that the zoning code does not require to build above and beyond if a property is non-conforming. Mr. Englund stated that the sideyard setback is not a waiver of the PUR Overlay. He stated that developers are always encouraged to reach out to the neighborhood to the best of their ability. Mr. Englund stated that the department recommends approval of the rezoning from GC to R7, subject to approval of an acceptable PUR-Planned Unit Redevelopment Overlay District plan prior to forwarding to City Council, approval of the waiver of Section 53-8(4)(a) for lot depth, approval of the
preliminary plat subject to the six conditions listed in the recommendation report and approval of the final plat subject to the conditions of the preliminary prior approval and submittal of an acceptable final subdivision agreement prior to forwarding the request to City Council for final action.

Mr. Rosacker moved for approval of the rezoning from GC to R7, subject to approval of an acceptable PUR- Planned Unit Redevelopment Overlay District plan prior to forwarding this request to the City Council. Approval of the waiver of Section 53-8(4)(a), Lot Depth. Approval of the Preliminary Plat, subject to the following conditions: 1) Cedar Street improvements are subject to the OPW public improvement process; 2) Comply with the City's Infill and Redevelopment Policy for Alternative Lot Access; 3) Public Works approval of the sewer public improvement plans is required prior to the recording of the final plat; 4) The applicant must provide for sidewalks adjacent to all street frontages in compliance with city code; 5) The applicant will be required to comply with all applicable stormwater management ordinances and policies, including providing for a no net increase in stormwater runoff and must treat the first ½” of stormwater for water quality; and 6) The applicant must provide for the use, ownership and maintenance of the outlots in the final subdivision agreement. Approval of the Final Plat, subject to the conditions of Preliminary Plat approval and submittal of an acceptable final subdivision agreement prior to forwarding the request to City Council for final action. Mr. Magid seconed the motion which carried 6-0.

Eric Englund, Acting Planning Manager, pointed out that all items will be before City Council for final approval and will take time therefore it is encouraged that the applicant take the time to continue conversations with the neighborhood. Mr. Englund stated that the department recommends approval of the PUR- Planned Unit Redevelopment Overlay District, subject to submittal of acceptable final PUR plans prior to forwarding this request to City Council.

Mr. Morris moved for approval of the PUR- Planned Unit Redevelopment Overlay District, subject to submittal of acceptable final PUR plans prior to forwarding this request to the City Council. Mr. Moore seconded the motion which carried 6-0.

Special Use Permits

| 13. | C7-18-069  
C8-18-070  
New Cingular Wireless | REQUEST: Approval of a Major Amendment to a Conditional Use Permit (assumed) to allow Secondary educational facilities in a R3 District and Approval of a Special Use Permit to allow a Broadcasting tower in a R3 District, with a waiver of Section 55-166, Height to allow a 92 foot tall tower | LOCATION: 400 North Happy Hollow Boulevard |

At the Planning Board meeting held on April 4, 2018, the applicant was not present.

Peter Manhart, 312 South 57 Street, President of Dundee Memorial Park Association, appeared before the Board in opposition to the request for three reasons: 1) the location and the aesthetics of the tower which is 52 feet from Memorial Park, 92 feet high and will be disguised as a tree that will stick out as an eye sore; 2) will be a back drop for the war memorial; and 3) most residents do not have trouble with cell service and do not use AT&T.

Matt Johnson, 123 North Happy Hollow Blvd, appeared before the Board in opposition to the request. Mr. Johnson stated that he submitted written testimony on the subject and encouraged the Board members to inspect the site and imagine a 92 foot tall tree on the site of one of Omaha’s most prominent City parks.

James McGee, 5225 Jackson Street, appeared before the Board in opposition to the request. Mr. McGee pointed out that the war memorial, which has 950 etched names of men and women etched who died in WWII, would be only 100 yards from the proposed location of the tower at 56th and Western.

Eric Englund, Acting Planning Manager, stated that the City has similar concerns with the location of the tower and the height of the tower and recommends a layover to allow time for further conversations with the applicant regarding the proposed facility.
Mr. Pate moved to layover the request. Mr. Moore seconded the motion which carried 6-0.

**Conditional Use Permits**

| 15. | C7-88-220 Omaha Performing Arts Society | REQUEST: Approval of a Major Amendment to a Conditional Use Permit to allow *surface parking* in a CBD (property is located within an ACI-1 Overlay District) | LOCATION: 1512 Howard Street and 424 South 15th Street |

At the Planning Board meeting held on April 4, 2018, Troy Meyerson, 409 South 17 Street, appeared before the Board, on behalf of the applicant. Mr. Meyerson stated that the layover request was removed from the Consent Agenda because of the timing constraints in order to coordinate the completion of the project while the Orpheum Theater is closed from June 26th to August 4th for interior capital improvements. He presented a site plan showing the addition of 10 parking stalls and the demolition of an existing building and will submit plans for the replacement of the exposed east side of the parking garage with an aesthetically pleasing wall such as a 10' high free-standing vegetative screen wall or a schematic screening that deals with the arts. He added that a plan for planters was resubmitted that are compliant with City code. He also added that the improvement of the asphalt in the alleyway that connects 16th Street to the parking lot will be part of the project to be completed the summer of 2018. Mr. Meyerson requested that the Board approve the proposal and he is willing to agree to work cooperatively with the City to accomplish the conditions needed to receive the building permit. He offered to answer any questions.

In response to Mr. Moore, Mr. Meyerson answered that there was a meeting with the City on March 8th and he received the report on Friday, March 30 to be laid over. The recommendation report subject to the three items was received on Monday morning, April 2nd. Mr. Meyerson stated that the garage is owned by a Mr. Webster and so far there has been no discussions regarding the possible screenings but a meeting is scheduled for tomorrow.

Mr. Magid pointed out that the demolition of the building and site preparation can be done without a permit. Mr. Meyerson stated that they need to go before the Zoning Board of Appeals on May 10th for a waiver and there is no flexibility within their window. Eric Englund, Acting Planning Manager, confirmed that if a building permit was submitted, the zoning division would put it on hold but it could continue through the review process of other departments.

In response to Mr. Pate, Mr. Meyerson was unable to explain why the project was not submitted at an earlier time but he was unaware that the 10 foot self standing vegetative wall/screen would need to be completed.

Mr. Rosenbaum, stated that the City has procedures that need to be followed and if the procedures are not followed then other developers or engineers would also want to push the deadline. He stated that he is concerned that a precedent would be set if the Board approved the request without seeing plans with regard to the wall.

Mr. Magid stated he does not have a problem pushing the project through given everything that has been discussed.

In response to Mr. Morris, Eric Englund, Acting Planning Manager, stated that the recommendation report was finalized on Thursday of last week and in it there are some statements or language indicating that the City is not supportive of waivers within an ACI-Overlay District and there are times that it has to go before the Urban Design Review Board. During the finalization of the report, that status was still up in the air whether the case had to go to the Urban Design Review Board. Mr. Englund pointed out that there was an application to be placed on the Zoning Board of Appeals however in light of the layover recommendation and the unclear status whether it had to go to the Urban Design Review Board, the case was removed from the Zoning Board of Appeals agenda for April 12th. It was recommended to the applicant on Friday afternoon to reach out to the Urban Design division to further this discussion because Monday was the deadline to be placed on the agenda. In the past couple of days, Monday and Tuesday, it was determined it would not need to go to the Urban Design Review Board therefore the process is Planning Board and
then any waivers needed, with staff support, would need to go to the next possible Zoning Board of Appeals meeting which is on May 10th. Mr. Englund further explained that, in the meantime, a demolition permit could be obtained, site preparation could be performed and a building permit could be submitted to get into review but zoning would not be able to sign off. There are several different departments that review the building permit but there is the possibility that there could be changes at the Zoning Board of Appeals meeting as a result of the separate order.

Mr. Meyerson asked if the demolition of the building is tied to amending the Conditional Use Permit. Dave Fanslau, Planning Director, answered that a demolition permit could be applied for without the approval of the Conditional Use Permit.

In response to Mr. Meyerson, Mr. Englund stated that, because of the timing, the case cannot be added to the Zoning Board of Appeals for the April meeting.

Eric Englund, Acting Planning Manager, added that the staff tries to be as accommodating as possible to all developments but there is a tight turn around for all boards along with working on other responsibilities but this puts the staff in a difficult position when things are changing within a couple days leading up to the request therefore we are recommending a layover but if the Planning Board makes the decision to move forward there would need to be a few general conditions subject to: 1) submittal of an acceptable site and landscape plan acceptable to City staff, and 2) receiving any necessary waivers from the Zoning Board of Appeals that are acceptable to City staff. Mr. Rosenbaum added that there is not adequate time to address the issue.

Dave Fanslau, Planning Director, further added that regardless of the outcome, the case still has to go to ZBA in May. Mr. Fanslau pointed out that there has been a lot of time spent on this one case. The staff works for 2 ½ weeks putting together reports and cannot get into the business of entertaining any requests after the reports are out that require this much detail for a number of reasons. After the reports are completed on Thursday, prior to the Board meeting, the staff shifts and work on other projects. There is not enough time for staff to start reviewing projects and amend recommendation reports.

Mr. Pate moved to layover the request. Mr. Rosacker seconded the motion which carried 6-0.

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<th>C7-18-073 City of Omaha</th>
<th>REQUEST: Approval of a Conditional Use Permit to allow Safety services in a CC District</th>
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<td>LOCATION: 20924 Cumberland Drive</td>
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At the Planning Board meeting held on April 4, 2018, Katie Underwood, Olsson Associates, 2111 South 67th Street, appeared before the Board, on behalf of the applicant. Ms. Underwood stated that the project is a public project that was approved by the Urban Design Review Board related to the building design schemes, materials and site layout and continue to work with the Planning Department on specific code requirements. The West precinct will house uniform patrol officers, the traffic division and the emergency response unit division for the police force. The building will house both internal operations for the police department and a community space and public space with the idea of making the front a public accessible welcoming space. The facility will operate 24 hours a day, 7 days a week and will employ 22 patrol staff per shift for 3 shifts and will also house 3 full-time emergency response unit employees, 30 SWAT employees and 25 traffic officers and additional administrative support. Ms. Underwood presented the site plan showing two shared existing access drives to be utilized, the front parking and rear parking lot with a secured entrance and fencing. She stated there was a neighborhood meeting in March and a separate meeting with the farmhouse owner to the northwest and a separate meeting with the Mark ownership group to the east. In general, the neighbors are pleased with the design and operation but the fence materials will be worked out in the future. Ms. Underwood offered to answer any questions.

In response to Mr. Rosenbaum, Ms. Underwood stated the existing tree canopy on the west and north side will remain with the addition of more trees to meet the buffering requirements. There could be approximately 60-70 staff on the premises at one time with regard to parking. She further stated that the fencing material will complement the building and be acceptable to the neighbors and do the job of shielding the parking lot.

Todd Engle, 14747 California Street, part owner of King Fin Property which owns the Mark, appeared before the Board in favor of the project. Mr. Engle stated that he is concerned with the quality of the fencing and
the ingress and egress on both sides of the property to include a widened drive.

Eric Englund, Acting Planning Manager, stated that although the area is not an Urban Design corridor on Cumberland Drive, the project is a publicly funded facility and the design is therefore designed to the highest level of development as a City project that complies with the City's Master Plan. Mr. Englund stated that the department recommends approval of the Conditional Use Permit to allow Safety services in a CC District subject to the seven conditions being addressed with or prior to the issuance of a permit.

Mr. Rosacker moved for approval of a Conditional Use Permit to allow Safety services in a CC-Community Commercial District, subject to the following conditions being addressed with, or prior to issuance of a building permit: 1) Submittal of an acceptable revised landscape plan that provides the required bufferyard trees and interior parking lot trees; 2) Provide additional information with regards to the specific design and materials of the proposed opaque metal fencing along the east property line which would be acceptable to the Planning Department; 3) Compliance with submitted site plan; 4) Compliance with the revised landscape plan; 5) Compliance with the submitted operating statement; 6) Compliance with the proposed building elevations; and 7) Compliance with all other applicable regulations. Mr. Moore seconded the motion which carried 6-0.

**APPROVAL OF MINUTES**

Mr. Rosacker moved for approval of the meeting minutes of March 7, 2018 as written. Mr. Pate seconded the motion which carried 6-0.

**ADJOURNMENT**

It was the consensus of the board to ADJOURN the meeting at 5:15 pm.

Date Approved

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Greg Rosenbaum, Chairman

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Debbie Hightower, Planning Board
Recording Secretary