Arnold Nesbitt, Chairman, called the meeting to order. Mr. Nesbitt presented a Certificate of Appreciation to Brinker Harding from the City of Omaha. Afterwards, he 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.

PUBLIC HEARING AND ADMINISTRATIVE MEETING

(HOLD OVER CASES)

Conditional Use Permits

| 2. | C7-17-108 (D) Reda Hamze | REQUEST: Approval of a Conditional Use Permit to allow Food sales (limited) in a LO District (laid over from 06/07/17) | LOCATION: 1938 North 85th Street |

At the Planning Board meeting held on August 2, 2017, this case was withdrawn by the applicant.
(REGULAR AGENDA)

Subdivisions

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Requestor</th>
<th>Request</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>7. C10-17-165 (D) C12-17-166 Magnum Development Corporation and Center 60 Hospitality, LLC</td>
<td>Preliminary and Final Plat approval of AKSARBEN VILLAGE SOUTH (Lots 3-4), a minor plat inside the city limits, with rezoning from CC and MU to CC and MU (portion of property is located within an MCC Overlay District and flood fringe overlay district)</td>
<td>Southwest of 62nd and Center Streets</td>
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</table>

At the Planning Board meeting held on August 2, 2017, this case was placed on the Consent Agenda. Mr. Rosenbaum moved for approval of the rezoning from CC and MU to CC and MU and approval of the Preliminary Plat, subject to the following conditions: 1) Modifying Note 2 on the plat to allow for a shared vehicular access on the east lot line, aligned with 62nd Street to the north. 2) Change the subdivision title to Aksarben Village South Replat 1 (Lots 1-2). 3) Coordinate with city staff to confirm the boundaries of the plat are accurate. 4) Provide sidewalks as required along all street frontages. 5) Compliance with all applicable stormwater management ordinances and policies. He also moved for approval of the Final Plat subject to the conditions of Preliminary Plat approval and submittal of an acceptable final subdivision agreement (if necessary) prior to forwarding the request to the City Council for final action. Ms. Karnes seconded the motion which carried 7-0.

Rezonings

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Requestor</th>
<th>Request</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. C10-17-167 (D) Douglas County School District 0001</td>
<td>Rezoning from GO to R5</td>
<td>Southeast of 32nd and Burt Streets</td>
<td></td>
</tr>
</tbody>
</table>

At the Planning Board meeting held on August 2, 2017, this case was placed on the Consent Agenda and Mr. Rosenbaum moved for approval. Ms. Karnes seconded the motion which carried 7-0.

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<thead>
<tr>
<th>Case No.</th>
<th>Requestor</th>
<th>Request</th>
<th>Location</th>
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<tbody>
<tr>
<td>9. C10-17-169 (D) TACK Architects</td>
<td>Rezoning from GI to NBD</td>
<td>2914 and 2922 North 61st Street</td>
<td></td>
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</tbody>
</table>

At the Planning Board meeting held on August 2, 2017, this case was placed on the Consent Agenda and Mr. Rosenbaum moved for approval. Ms. Karnes seconded the motion which carried 7-0.

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Requestor</th>
<th>Request</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>10. C10-17-170 (D) Island 1811, LLC</td>
<td>Rezoning from DS to CBD (property is also located within an ACI-1(PL) Overlay District)</td>
<td>Northwest of 18th and Jackson Streets</td>
<td></td>
</tr>
</tbody>
</table>

At the Planning Board meeting held on August 2, 2017, this case was placed on the Consent Agenda and Mr. Rosenbaum moved for approval. Ms. Karnes seconded the motion which carried 7-0.

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Requestor</th>
<th>Request</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>11. C10-17-171 (D) Olsson Associates</td>
<td>Rezoning from GC to CC, along with approval of a MCC-Major Commercial Corridor Overlay District</td>
<td>5051 Center Street</td>
<td></td>
</tr>
</tbody>
</table>

At the Planning Board meeting held on August 2, 2017, this case was placed on the Consent Agenda and Mr. Rosenbaum moved for approval. Ms. Karnes seconded the motion which carried 7-0.
12. C7-17-172 (D)  
C8-17-173  
C10-17-174  
Seventy Five North Revitalization Corporation  

REQUEST:  
Rezoning from GI to R5, with approval of a ACI-1(PL) Overlay District, along with Approval of a Special Use Permit to allow Daycare services (general) and Approval of a Conditional Use Permit to allow Administrative services in a R5 District  

LOCATION: 3200 North 30th Street  

At the Planning Board meeting held on August 2, 2017, this case was placed on the Consent Agenda. Mr. Rosenbaum moved for approval of the rezoning from GI to R5, approval of the ACI-1(PL) Overlay District; and approval of a Special Use Permit to allow Daycare services (general) in an R5 district subject to:  
1) Submittal of a revised site and landscape plan that addresses the following items prior to forwarding the request to the City Council: (a) Provide 15’ minimum depth of landscaping along Bedford Avenue. (b) Provide one tree for every 500 square feet of minimum landscaping depth. (c) Provide sidewalks along 30th Street and Bedford Avenue, the applicant must dedicate right-of-way as needed. (d) Provide overstory trees to be planted 40’ on center between the sidewalk and street along 30th Street and Bedford Avenue. (e) Provide overstory trees to be planted 35’ on center between parking lot and sidewalk where adjacent to right-of-way. (f) Provide 3’ high landscaping (shrubs, berm, etc.) between the parking lot and street along 30th Street. (g) Provide a fence, wall or landscape screen not less than four feet in height for the length of the common boundary of the north parking lot along Bedford Avenue.  
2) Receive a waiver from the Zoning Board of Appeals to allow more than 12 individuals in the daycare in an R5 District.  
3) Coordinate with the Urban Design division to determine an acceptable building layout and frontage per the ACI-1 regulations.  
4) Coordinate with the Public Works Department regarding the proposed access that require waivers from the Administrative Board of Appeals.  
5) Fencing around playgrounds require wrought iron or a similar design material as opposed to chain link.  
6) Compliance with storm shelter regulations.  
7) Compliance with all other applicable regulations; a Conditional Use Permit to allow Administrative services in a R5 district subject to:  
1) Submittal of a revised site and landscape plan that addresses the following items prior to submittal of any building permits: (a) Provide 15’ minimum depth of landscaping along Bedford Avenue. (b) Provide one tree for every 500 square feet of minimum depth of landscaping. (c) Provide sidewalks along 30th Street and Bedford Avenue, the applicant must dedicate right-of-way as needed. (d) Provide overstory trees to be planted 40’ on center between the sidewalk and street along 30th Street and Bedford Avenue. (e) Provide overstory trees to be planted 35’ on center between parking lot and sidewalk where adjacent to right-of-way. (f) Provide 3’ high landscaping (shrubs, berm, etc.) between the parking lot and street along 30th Street. (g) Provide a fence, wall or landscape screen not less than four feet in height for the length of the common boundary of the north parking lot along Bedford Avenue.  
2) Coordinate with the Urban Design division to determine an acceptable building layout and frontage per the ACI-1 regulations.  
3) Coordinate with the Public Works Department regarding the proposed access that require waivers from the Administrative Board of Appeals.  
4) Compliance with all applicable stormwater management regulations.  
5) Compliance with all other applicable regulations.  
Ms. Karnes seconded the motion which carried 7-0.

14. C10-96-196 (D)  
T-Mobile  

REQUEST: Approval of a Major Amendment to the Mixed Use District Development Agreement for Ridgeview  

LOCATION: Southwest of 180th Street and West Center Road  

At the Planning Board meeting held on August 2, 2017, this case was placed on the Consent Agenda and Mr. Rosenbaum moved for approval of the Major Amendment to the Ridgeview Mixed Use Development Agreement, subject to submittal of five acceptable, originally signed, final Mixed Use Development Agreements prior to forwarding to City Council. Ms. Karnes seconded the motion which carried 7-0.
Conditional Use Permits

16. C7-17-114 (D) Immanuel Lutheran Church

REQUEST: Approval of a Major Amendment to a Conditional Use Permit to allow Religious assembly in a R5(35) District

LOCATION: 2717 and 2725 North 60th Avenue

At the Planning Board meeting held on August 2, 2017, this case was placed on the Consent Agenda and Mr. Rosenbaum moved for approval of a Major Amendment to a Conditional Use Permit to allow Religious assembly in a R5(35) District subject to: 1) Submittal of a revised site/landscape plan prior to building permit submittal that addresses the following items: (a) Provide an acceptable four foot screen to the east, south and west of the new parking lot. (b) Provide a minimum street yard landscaping percentage of 55% and a depth of 15 feet. (c) Plant one tree in the parking lot interior. (d) Modify the handicap access aisle to be eight feet in width. 2) Receive waivers from the Zoning Board of Appeals to allow parking in the front yard setback and for impervious coverage. 3) Compliance with the revised site/landscape plan. 4) Compliance with all applicable stormwater management ordinances and policies. 5) Compliance with all other applicable regulations. Ms. Karnes seconded the motion which carried 7-0.

17. C7-08-006 (D) Creighton Preparatory School

REQUEST: Approval of a Major Amendment to a Conditional Use Permit to allow a Secondary educational facility in a R3 District

LOCATION: Northwest of 72nd Street and Western Avenue

At the Planning Board meeting held on August 2, 2017, this case was placed on the Consent Agenda and Mr. Rosenbaum moved for approval of the Major Amendment to a Conditional Use Permit to allow Secondary educational facilities in a R3 district, in accordance with the plans submitted, subject to the following: 1) Approval of the necessary waivers from the Zoning Board of Appeals. 2) Compliance with submitted sign plan, elevations and sign budget. 3) Compliance with all applicable regulations. Ms. Karnes seconded the motion which carried 7-0.

18. C7-17-175 (D) West Omaha Sports Complex, LLC

REQUEST: Approval of a Conditional Use Permit to allow Indoor sports and recreation in a CC district

LOCATION: Southwest of 210th Street and Cumberland Drive

At the Planning Board meeting held on August 2, 2017, this case was placed on the Consent Agenda and Mr. Rosenbaum moved for approval of a Conditional Use Permit to allow Indoor Sports and Recreation in a CC District, subject to the following conditions: 1) Coordinate with city staff to ensure that adequate parking is being provided. 2) Construct sidewalks along all public street frontages. 3) Provide pro-rata reimbursement to the developer on the east side of 210th Street for past 210th Street paving improvements. 4) Obtain any necessary waivers from the Administrative Board of Appeals (applicant to coordinate with Public Works). 5) Verify that accommodations have been made, including the granting of easements, if necessary, to allow sanitary sewer to be provided to the lot south of the subject property. 6) The applicant obtaining all necessary building permits, in compliance with the conditions listed, and a Certificate of Occupancy from the Permits and Inspections Division of the Planning Department. 7) Submittal of a revised site plan, if necessary, compliant with all applicable regulations. 8) Compliance with the site plan (revised, if necessary). 9) Compliance with the landscape plan. 10) Compliance with all applicable sign regulations. 11) Compliance with the submitted operating statement. 12) Compliance with all applicable development regulations. Ms. Karnes seconded the motion which carried 7-0.
19. C7-08-166 (D)  
   C7-97-225  
Children’s Hospital Foundation  
REQUEST: Approval of a Major Amendment to a Conditional Use Permit to allow Hospital services (general) in a GO District, with a waiver of Section 55-326 Height (176 feet) (property is also located within an ACI-2(65) Overlay District)  
LOCATION: Southeast of 84th Street and West Dodge Road

At the Planning Board meeting held on August 2, 2017, this case was placed on the Consent Agenda and Mr. Magid moved for a layover until the September 6, 2107 meeting to allow the applicant time to submit additional information to the Planning Department. Mr. Rosacker seconded the motion which carried 7-0.

Vacations

22. C14-17-178 (D)  
Property Owner  
REQUEST: Vacation of the east/west alley from JA Creighton Blvd to 33rd Street between Emmet and Pinkney Streets

At the Planning Board meeting held on August 2, 2017, this case was placed on the Consent Agenda and Mr. Rosenbaum moved for approval of the vacation, subject to removing 50 linear feet of existing returns and constructing 20 linear feet of curbs upon completion of this right-of-way being vacated. Ms. Karnes seconded the motion which carried 7-0.

23. C14-17-179 (D)  
Property Owner  
REQUEST: Vacation of the east/west alley from JA Creighton Blvd to 33rd Street between Pinkney and Evans Streets

At the Planning Board meeting held on August 2, 2017, this case was placed on the Consent Agenda and Mr. Rosenbaum moved for approval of the vacation, subject to the removal of 50 linear feet of existing returns and the construction of 20 linear feet of curbs upon completion of this right-of-way being vacated. Ms. Karnes seconded the motion which carried 7-0.

24. C14-17-180 (D)  
Douglas County  
REQUEST: Vacation of an irregular portion of 216th Street south of “F” Street

At the Planning Board meeting held on August 2, 2017, this case was placed on the Consent Agenda and Mr. Rosenbaum moved for approval. Ms. Karnes seconded the motion which carried 7-0.

PUBLIC HEARING AND ADMINISTRATIVE MEETING

(HOLD OVER CASES)

Subdivisions

1. C12-17-093  
Kevin Andersen  
REQUEST: Final Plat approval of BLAZEK ACRES REPLAT 1, a cluster subdivision outside the city limits (laid over from 05/03/17)  
LOCATION: Southeast of 126th Street and Bennington Road

At the Planning Board meeting held on August 2, 2017, Kevin Andersen, 17024 Military Road, appeared before the Board. Mr. Andersen stated that the case had been laid over until approval for the septic system was received from the State from NDEQ (Nebraska Department of Environmental Quality). He then stated that the approval had been received.
Cheri Rockwell, Acting Assistant Planning Director, stated that the Planning Department recommended approval of the Final Plat, subject to the conditions of the Preliminary Plat approval and submittal of an acceptable final subdivision agreement prior to forwarding the request to City Council.

In response to Mr. Magid, Mr. Andersen stated that the land in question was family owned and that the request was for one home. He added that the remainder of the land would be used for agricultural production.

Ms. Karnes moved for approval of the Final Plat, subject to the conditions of the Preliminary Plat approval and submittal of an acceptable final subdivision agreement prior to forwarding the request to City Council. Mr. Magid seconded the motion which carried 7-0.

(REGULAR AGENDA)

Master Plan Referrals

<table>
<thead>
<tr>
<th></th>
<th>C3-17-160</th>
<th>Planning Department on behalf of the City of Omaha</th>
<th>REQUEST: Approval of the BLACKSTONE CORNER APARTMENTS AND SHOPS TIF REDEVELOPMENT PROJECT PLAN</th>
<th>LOCATION: Northwest of 36th and Farnam Streets</th>
</tr>
</thead>
</table>

At the Planning Board meeting held on August 2, 2017, Bridget Hadley, Planning Department, presented the request. Matt Dwyer, Greenslate Development, 3814 Farnam Street, appeared in support of the request. Ms. Hadley recalled that the case had been before the board in June 2017 for rezoning from GC-ACI-1 to NBD-ACI-1. She explained that the developer planned to raze the existing structure and construct a 6-story, mixed-use building that would include residential, commercial and sub-grade parking. She added that the project was compliant with the Master Plan.

Cheri Rockwell, Acting Assistant Planning Director, stated that the Planning Department recommended approval.

Mr. Pate recommended approval. Mr. Moore seconded the motion which carried 7-0.

<table>
<thead>
<tr>
<th></th>
<th>C3-17-161</th>
<th>Planning Department on behalf of the City of Omaha</th>
<th>REQUEST: Approval of the Surplus Declaration and Disposal of City Property</th>
<th>LOCATION: The west 20 feet of the north 46 feet of Lot 24, Block 4, Vassar Place Addition (portion of 5604 Northwest Radial Highway)</th>
</tr>
</thead>
</table>

At the Planning Board meeting held on August 2, 2017, Kristina Whitney appeared before the board. Ms. Whitney stated that she and her husband owned 2912 and 2910 North 56th Street. She then stated that they also recently acquired 5612 Northwest Radial Highway. She explained that they wanted to acquire a 920 square foot piece of land that was owned by the City. She indicated that the site was not maintained and was overgrown with brush and trees. Ms. Whitney stated that the land would be cleared and used for parking for tenants at 2912 and 2910.

Cheri Rockwell, Acting Assistant Planning Director, stated that the Planning Department coordinated with the Finance, Public Works and Parks Departments regarding the property and that there were no objections to the request. She then stated that the Planning Department recommended approval.

Mr. Rosacker moved for approval. Ms. Karnes seconded the motion which carried 7-0.
At the Planning Board meeting held on August 2, 2017, Derek Miller, Planning Department, presented the request. Mr. Miller stated that the creation of the CIP document for 2018-2023 began early January 2017 and concluded June 2017. He explained that the CIP document had been completely reformatted for the first time in 25 years. He further explained that the new format provided improved financial project descriptions, as well as recently completed projects. He added that the new document conformed with the Master Plan.

Mr. Rosacker commented that the new document was easier to read and comprehend.

Cheri Rockwell, Acting Assistant Planning Director, stated that the Planning Department recommended approval.

Ms. Karnes moved for approval. Mr. Magid seconded the motion which carried 7-0.

**Subdivisions**

At the Planning Board meeting held on August 2, 2017, Dawn Danley, DLR, appeared on behalf of the applicant. She stated that a preliminary plat had been submitted for approximately 44 acres of land that would be used for a new high school. She added that a portion of the 44 acres had been subdivided into a new right-of-way for George Miller Parkway and additional right-of-way dedication for 180th Street.

Cheri Rockwell, Acting Assistant Planning Director, stated that the Planning Department recommended approval of the request subject to the 16 conditions listed in the Department’s recommendation.

Mr. Pate moved for approval of the rezoning from AG to R4 and approval of the Preliminary Plat subject to the following being addressed with or prior to submittal of the Final Plat: 1) Coordinate with Public Works on the design of the side-street approaches to 180th Street and on the design of the roundabout on George Miller Parkway. 2) The George Miller Parkway profile should be designed to accommodate future expanded 4 lane and 6 lane configurations of 180th Street. 3) Proposed site grades along the western boundary of the platting, adjacent to 180th Street, must be coordinated with the future improvement of the roadway. The consultant will be required to submit cross section information, for review purposes, that shows the relationship of the proposed site grading to the existing and future 180th Street improvements. Certification of the grade coordination will be required prior to the City of Omaha’s approval of the final plat. 4) Any proposed street or driveway connections from the development to 180th Street will require permits from the Douglas County Engineer’s Office and must meet proper sight distance criteria. 5) Provide for all improvement identified in the final approved traffic study. 6) Provide a note on the plat that there shall be no direct access to 180th Street from Lot 1 or Outlot B. 7) Provide for the use, ownership and maintenance of the outlots in the subdivision agreement. 8) Compliance with all applicable stormwater management ordinances and policies, including no net increase in stormwater runoff and treating the first ½” of stormwater for water quality. 9) 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 180th Street. 10) Any grading, sewer or utility work carried out in conjunction with this development, in 180th Street right-of-ways, will require a permit(s) from the Douglas County Engineer’s Office. 11) Coordinate with the Douglas County Engineer’s Office regarding any traffic calming that will be required to be installed on George Miller Parkway, east of the roundabout. 12) The final plat will need to clearly denote the areas to be dedicated for right-of-way, including the hammerhead...
area at the end of McMillan Street. 13) George Miller Parkway design should be in accordance with the Suburban Park Master Plan. 14) Boulevard plans and cost estimates must be approved by the Parks and Recreation Advisory Board prior to bidding. 15) Submit a letter of approval of a noxious weed plan. 16) Sidewalks must be provided as required by the subdivision ordinance. Mr. Magid seconded the motion which carried 7-0.

### Rezonings

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<tbody>
<tr>
<td>13.</td>
<td>C10-02-203</td>
<td>The Lerner Company</td>
</tr>
<tr>
<td>REQUEST:</td>
<td>Approval of a Major Amendment to the Mixed Use District Development Agreement for West Village Pointe</td>
<td></td>
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<tr>
<td>LOCATION:</td>
<td>Southeast of 180th Street and West Dodge Road</td>
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At the Planning Board meeting held on August 2, 2017, Dennis Hogan, Regency 1 Building, appeared on behalf of the applicant. Mr. Hogan stated that the recommendation of the Planning Department had been reviewed and that the applicant concurred with the recommendation.

Cheri Rockwell, Acting Assistant Planning Director, stated that the Planning Department recommended denial of the Major Amendment to remove all pedestrian trails and trail connections in Outlot C and D, but approval of the Major Amendment that requires the pedestrian trail through Outlot D from 178th Avenue to Burke Street but eliminates the internal pedestrian trail in Outlot C, subject to submittal of an acceptable final mixed-use district development agreements prior to forwarding the request to City Council.

Ms. Karnes moved to deny a Major Amendment to remove all pedestrian trails and trail connections in Outlot C and D and for approval of a Major Amendment that requires the pedestrian trail through Outlot D from 178th Avenue to Burke Street but eliminates the internal pedestrian trail in Outlot C, subject to submittal of acceptable final mixed use district development agreements prior to forwarding the request to City Council. Mr. Rosacker seconded the motion which carried 7-0.

### Special Use Permits

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<tbody>
<tr>
<td>15.</td>
<td>C8-07-314</td>
<td>T-Mobile Central, LLC</td>
</tr>
<tr>
<td>REQUEST:</td>
<td>Approval of a Major Amendment to a Special Use Permit to allow a Broadcast tower in an LC District, with a waiver of Section 55-348 Height to allow a 112 foot tall tower</td>
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</tr>
<tr>
<td>LOCATION:</td>
<td>15220 Military Road</td>
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</tbody>
</table>

At the Planning Board meeting held on August 2, 2017, Nate Miller, SSC, 9900 West 109th Street, Overland Park, KS, appeared on behalf of the applicant.

Mr. Nesbitt stated that he had been informed that the adjacent neighbors had not been contacted by the property owner about the request. Mr. Miller responded that the individual in charge of the project was not in attendance and that he was not aware of the guidelines for notification in the City of Omaha. He stated that the proper steps would be taken in the future to ensure that neighbors were notified.

Cheri Rockwell, Acting Assistant Planning Director, stated that she had received an email from a property owner that morning stating that he had been in contact with the applicant. She added that the property owner was not interested in a layover; however, he indicated that the existing access drive to the lease area was in need of crushed rock. She then stated that the Planning Department recommended approval of the request, subject to the conditions listed in the recommendation.

In response to Mr. Nesbitt, Mr. Miller stated that fresh rock would be added to the area.

Mr. Rosacker moved for approval of the Special Use Permit to allow a Broadcast tower in the LC District, with a waiver of Section 55-348, Height to allow a maximum overall height of 112 feet subject to: 1) Submittal of and compliance with an acceptable revised site plan showing property lines prior to forwarding
this request to the City Council. 2) All existing trees being preserved and maintained. 3) The proposed grain bin structure be identical or similar in appearance and size to the existing grain bin structures and be an unpainted natural steel or galvanized metal. 4) Compliance with the proposed elevations, including the maximum height of 112 feet (including the lightening rod). 5) The pole addition being of similar color and style to the existing pole. 6) Compliance with the operating statement. 7) Provide documentation of approval of the proposed changes from the LHPC, if necessary. 8) Providing a governmental access easement for a public safety and communications network. 9) Submittal of an annual report, each year in January, to the Planning Department that discloses each broadcast tower location and operating status within Omaha’s zoning jurisdiction. 10) Compliance with all other applicable rules and regulations. Mr. Magid seconded the motion which carried 7-0.

Vacations

| 20. | C14-17-176 | REQUEST: | Vacation of 132nd Street abutting 333 South 132nd Street |

At the Planning Board meeting held on August 2, 2017, Troy Myerson, 409 South 17th Street, appeared on behalf of the applicant. Mr. Myerson stated that there was a small piece of land between 132nd Street and the applicant’s property. He explained the land was a ½ mile south of 132nd and Dodge and that there was a cemetery to the south of the area. He requested that the setback line up with setback of the cemetery. He noted that the applicant was in agreement with the Planning Department’s recommendation, which included installation of a turnaround hammerhead.

Billie Lee, 215 South 132nd Street, appeared in opposition to the request. Ms. Lee stated that her home was adjacent to the Jewish Federation home and that there was a dead-end street is in front of her home. She expressed concerned that the street would become a thoroughfare. In response, Mr. Myerson explained, per the City’s requirements, a hammerhead would be created so that a car could turn around without using her driveway. He added that the frontage road would not be extended.

Cheri Rockwell, Acting Assistant Planning Director, stated that there was a request to vacate the excess right-of-way in front of the Jewish Community Center. She then stated that the Planning Department recommended approval of the request subject to the conditions set forth in the Department’s recommendation.

Mr. Magid moved for approval, subject to the following conditions: 1) Maintain a sewer easement to allow access to the sewer systems in the right-of-way. 2) Retain a permanent access easement to allow for maintenance activities for the traffic signal detection on the right-of-way. 3) Installation of a turnaround hammerhead at the southern end of the 132nd Street frontage road (immediately north of the proposed vacated right-of-way). Mr. Rosacker seconded the motion which carried 7-0.

| 21. | C14-17-177 | REQUEST: | Vacation of the north/south alley between 39th Street and 40th Street from the south right-of-way line of Dodge Street to the south right-of-way line of 124 South 39th Street |

At the Planning Board meeting held on August 2, 2017, Cheri Rockwell, Acting Assistant Planning Director, appeared before the board. Ms. Rockwell stated that the request was a Planning Board initiated alley vacation that was requested by one of the adjacent property owners.

Michael Decker, 1904 Farnam, appeared in opposition to the request. Mr. Decker stated that he was the attorney/representative for OEA Housing Corporation at 122 South 39th Street, the owner of the property that abuts the alley on east. He then stated that his client submitted a letter to the Planning Board on July 21, 2017 that listed the reasons for opposition. He commented that inaccurate notices were sent to adjacent property owners and that the proposal does not comply with State law, which requires that a vacated property should go to adjacent property owners. He added that residents of the OEA tower, who were also opposed, were in attendance.
Jim Kresnik, owner of 104 South 39th St, appeared in opposition to the request. Mr. Kresnik mentioned that he had previously submitted a letter stating his opposition. He stated that he believed his property and the OEA property made up about 50% of alley. He then stated that they have maintained the alley for several years and was concerned that no efforts were made to communicate with the neighbors. He explained that if the alley were vacated, he would lose access to his carriage house that he used a couple of times per month. Mr. Rosenbaum stated that Mr. Kresnik would still have access to the carriage house.

Cheri Rockwell, Acting Assistant Planning Director, stated that the Planning Department recommended that the case be laid over due to the correspondence received and the testimony given.

Ms. Karnes moved to layover. Mr. Magid seconded the motion which carried 7-0.

**APPROVAL OF MINUTES**

Ms. Karnes moved to APPROVE the meeting minutes of July 5, 2017 as written. Mr. Magid seconded the motion which carried 7-0.

**DISCUSSION**

There was some discussion about Case 22 (C14-17-178 - Vacation). Arlivia Dunson, 3215/3217 Pinkney Street, was in attendance for this case. Mr. Nesbitt stated that the case was approved on the consent agenda and would progress to City Council with the recommended approval from the Planning Board. Ms. Dunson stated that Habitat for Humanity built new houses with retaining walls behind them and explained that there was runoff from those properties onto hers that left big ruts on her land. She was also concerned about whether the alleys would be maintained.

Cheri Rockwell, Acting Assistant Planning Director, gave Ms. Dunson her information so that she could contact her regarding the case.

**ADJOURNMENT**

It was the consensus of the board to ADJOURN the meeting at 2:40 pm.

________________________________________
Date Approved

________________________________________
Arnold Nesbitt, Chairman

________________________________________
Rikki Flott, Planning Board
Recording Secretary