PLANNING BOARD AGENDA

Public Hearing and Administrative Meeting
Wednesday, October 7, 2009, 1:30 P.M.

Omaha/Douglas Civic Center
1819 Farnam Street
Legislative Chamber

DISPOSITION AGENDA

This document states the disposition of cases before the Planning Board at their Public Hearing and Administrative meeting held on October 7, 2009.

MEMBERS PRESENT:  R. J. Neary, Chairman
Anna Nubel, Vice Chair
Robert Mancuso
John Hoich
Thomas O. Kelley
Van C. Deeb

MEMBERS NOT PRESENT:  Arnold Nesbitt

Certification of Publication:  Planning Board Administrator certifies publication of this agenda in the Daily Record, the official newspaper of the City of Omaha on Monday, September 28, 2009.

ADMINISTRATIVE MEETING

1.  C10-00-201
   C10-07-281
   C12-07-282
   HyVee Inc.

REQUEST:  Final Plat approval of PACIFIC SPRINGS PLACE, a subdivision outside the city limits, with rezoning from AG and MU to MU and approval of a Major Amendment to the Mixed Use District Development Agreement for Pacific Springs

LOCATION:  Northeast of 180th and Pacific Streets

DISPOSITION:  APPROVED 6-0.  Approved the rezoning from AG and MU to MU, subject to submittal of an acceptable final mixed use district development agreement prior to forwarding the request to the City Council.  APPROVED the final plat subject to:  1) Approval by the Park and Recreation Advisory Board of the trail plans and costs at their regular meeting October 5, 2009; and, 2) Submittal of an acceptable final subdivision agreement prior to forwarding the final plat to the City Council.
PUBLIC HEARING AND ADMINISTRATIVE MEETING

(REHOLD OVER CASES)

Rezonings

2. C10-09-081 (D)  AP Investments, LLC
   REQUEST: Rezoning from R8 to MU
   LOCATION: Northwest of 186th Avenue and West Dodge Road

DISPOSITION: APPROVED 6-0. Approved the rezoning from R8 to MU subject to addressing the following comments and subject to submittal of an acceptable final Mixed Use District Development Agreement prior to the request being forwarded to City Council: 1) Work with the Planning Department on provisions to be included within the Development Agreement to guide future reviews of amendments; 2) The updated format of the Mixed Use Agreement should be used; 3) Include a statement that says the amount of residential floor area will not be less than 50 percent of the total floor area; 4) Include a statement that indicates the bufferyard along California will be 20 feet in width; 5) Include a statement that addresses the maximum height of the buildings if they will not meet the CC District regulations; 6) Remove the statement that refers to a Center Identification sign; 7) Update Exhibit “E” and “E”-1 to comply with the monument sign regulations; 8) Provide a pedestrian connection to the future park on the west side; 9) The sidewalk and greenspace along California must comply with Section 55-924; 10) Indicate the location of service areas on the plan; 11) Provide eight (8) handicap stalls; and 12) Comply with all applicable regulations of the Urban Design Article.

3. C10-09-155  Tito Flores
   REQUEST: Rezoning from R4(35) to R5
   LOCATION: 1624 Missouri Avenue

DISPOSITION: DENIED 6-0.

(REGULAR AGENDA)

Master Plan Referrals

4. C3-09-167  Planning Department on behalf of the City of Omaha
   REQUEST: Surplus Declaration and Disposal of City-owned property (old Elkhorn City Hall)
   LOCATION: 20601 Glenn Street

DISPOSITION: APPROVED 6-0. Approved the Surplus Declaration and Disposal of the old Elkhorn City Hall, subject to a vacation of the adjacent alley and recording of an Administrative Subdivision prior to sale and transfer of the property.

5. C3-09-168  Planning Department on behalf of the City of Omaha
   REQUEST: Approval of the 1009 CAPITAL AVENUE LLC TAX INCREMENT FINANCING REDEVELOPMENT PROJECT PLAN
   LOCATION: Southwest of 10TH Street and Capitol Avenue

DISPOSITION: APPROVED 5-0. Approved the 1009 Capital Avenue, L.L.C Tax Increment Financing Redevelopment Project Plan.
6. C3-09-177
   Nebraska CVS Pharmacy, LLC

   REQUEST: Approval of an amendment to the Future Land Use Element of the City's Master Plan from low density residential to office/commercial

   LOCATION: Southeast of 72nd and Maple Streets

   DISPOSITION: APPROVED 6-0. Approved the request to amend the Land Use Element of the Master Plan to change the future land use designation from low density residential to office/commercial.

Subdivisions

7. C12-09-160 (D)
   Incontro Enterprises, LLC

   REQUEST: Preliminary Plat approval of INCONTRO VILLAGE, a subdivision inside the city limits, with a waiver of Section 53-8(4)(a) for lot depth

   LOCATION: Southeast of 60th and Spring Streets

   DISPOSITION: APPROVED 6-0. Approved the preliminary plat subject to: 1) Providing 5' x 5' of right-of-way at all intersections to allow for handicap accessible ramps; 2) Providing a 1:20 drawing of the intersection of 59th Street and the proposed new street for review; 3) Providing for the construction of sidewalks along all public streets; 4) Providing a drainage study for review that shows no net increase in stormwater runoff; 5) Providing for the treatment of the first ½ " of runoff; and 6) Providing the building footprints for each of the lots on the final plat.

8. C10-09-161 (D)
   C12-09-162
   Dolores Bangert, Mosaic Housing Corporation II

   REQUEST: Preliminary and Final Plat approval of RIDGEVIEW HEIGHTS, a minor plat inside the city limits, with rezoning from DR to R3

   LOCATION: Southwest of 66th Street and Sorensen Parkway

   DISPOSITION: APPROVED 6-0. Approved the preliminary plat subject to: 1) Providing the appropriate language on the final plat relative to the right-of-way vacation; 2) Showing all easements to be retained in the vacated right-of-way; 3) Coordinating the design of the outlet structure(s) with the Public Works Department and the PMNRD; and 4) Providing a drainage study for review and approval. APPROVED the final plat as amended by the conditions of preliminary plat approval and subject to submittal of an acceptable final subdivision agreement, if required.

9. C10-09-178
   C12-09-179
   Donn Fizer

   REQUEST: Preliminary and Final Plat approval of BONITA REPLAT 7, a minor plat inside the city limits, with rezoning from R4(35) and CC to CC and approval of an ACI-2 (62) Overlay District

   LOCATION: Southeast of 72nd and Maple Streets

   DISPOSITION: APPROVED 6-0. Approved the rezoning from R4(35) and CC to CC. APPROVED the ACI-2 (62) Overlay District. APPROVED the Preliminary Plat, subject to: 1) Providing sidewalks alongside the driveways leading into the CVS parking lot from Maple and Corby Streets; 2) Submitting a Post Construction Storm Water Management Plan application and drainage study with required supporting documentation for review; and Compliance with the Urban Design Review Board building requirements. APPROVED the Final Plat as amended by the conditions of preliminary plat approval.
10. C10-09-180 (D)  
   C12-09-181  
   Gottsch Land Co.  
   REQUEST: Preliminary and Final Plat approval of HIGH POINT REPLAT 8, a subdivision outside the city limits, with rezoning from R6 to CC  
   LOCATION: Southeast of 204th Street and Veterans Drive  
   DISPOSITION: APPROVED 6-0. Approved the rezoning from R6 to CC. APPROVED the preliminary plat, subject to extending Lehn and Stryker Street right-of-way to the relocated 203rd Street. APPROVED the final plat, subject to: 1) Providing for the extension of Lehn and Stryker Street right-of-way to the relocated 203rd Street; 2) Confirming that the name “High Point Replat 8” has not been used; 3) Renaming the Outlot(s) to Outlot “A”, etc.; and 4) Submittal of an acceptable final subdivision agreement.

11. C10-09-183 (D)  
   C12-09-184  
   Mitchell Auto Auction, LLC  
   REQUEST: Preliminary and Final Plat approval of INTRANSIT ADDITION REPLAT, a minor plat inside the city limits, with a waiver of Section 53-8(4)(d) of the subdivision ordinance regarding lot frontage, with rezoning from CC to CC and GI  
   LOCATION: 5500 “L” Street  
   DISPOSITION: APPROVED 6-0. Approved the rezoning from CC and GI to CC and GI (Lot 1/GI and Lot 2/CC). APPROVED the waiver of Section 53-8(4)(d) for street frontage. APPROVED the preliminary plat subject to the applicant amending the subdivision name to Intransit Addition Replat 1. APPROVED the final plat.

12. C8-09-185 (D)  
   C12-09-186  
   Mark Wetzel  
   REQUEST: Preliminary and Final Plat approval of WETZEL’S ADDITION, a minor plat outside the city limits, with a waiver of Section 53-9(9) for sidewalks and Approval of a Special Use Permit to allow development in the North Hills Environmental Overlay District  
   LOCATION: 11460 Calhoun Road  
   DISPOSITION: LAID OVER 6-0. Laid over the Preliminary and Final plat of WETZEL’S ADDITION, with a waiver of 53-9(9) for sidewalks; and the Special Use Permit to allow development in the North Hills Environmental Overlay District in order for the applicant to address the following conditions: 1) Submit an acceptable Post-Construction Storm Water Management Plan (PCSWMP) that effectively treats the first ½ inch of runoff; 2) Add the building envelope for Lot 2 to the final plat mylars; 3) Include a note on the plat that states there will be no direct access to the highway; 4) Provide for the extension and improvement of the North 48th Street frontage road; 5) Add the building envelope on Lot 2 to the final plat so that it’s on the plat when recorded; 6) Submit the Percolation test results to the Douglas County Health Department for review and approval; and 7) Submit an acceptable subdivision agreement if one is needed.

Planned Unit Development

13. C11-09-143 (D)  
   Tim Holland  
   REQUEST: Approval of a Planned Unit Development Overlay District  
   LOCATION: 209 South 49th Street  
   DISPOSITION: APPROVED 6-0. Approved the PUD as revised.
Rezonings

14. C10-09-163 (D)
   C9-07-294
   Joseph Kozol

   REQUEST: Rezoning from DR and CC to CC and
   approval of a Major Amendment to a
   Special Use Permit to allow Convenience
   storage in a CC District

   LOCATION: 5707 North 60th Street

   DISPOSITION: APPROVED 6-0. Approved the rezoning from DR and CC to CC for Lot 1, Kozy
   Storage. APPROVED the Major Amendment to the Special Use Permit reflecting the bufferyard
   waiver adjacent to the cell tower site.

15. C10-09-164 (D)
    Park Avenue Legacy, LLC

    REQUEST: Rezoning from R7 and GC to R7

    LOCATION: Northeast of Ed Creighton and Park
    Avenues

    DISPOSITION: LAID OVER 6-0. Laid over the request to allow the applicant to consider all
    options involving the remainder of the commercially-zoned lots under their ownership.

16. C10-09-014 (D)
    Planning Department
    on behalf of the City of Omaha

    REQUEST: Approval of an ACI-1(50), ACI-2(50) and
    ACI-4 (PL) Overlay District (this adds the
    designated baseline to the existing districts)

    LOCATION: 13th Street from Leavenworth Street to I-80

    DISPOSITION: APPROVED 6-0.

17. C10-09-015 (D)
    Planning Department
    on behalf of the City of Omaha

    REQUEST: Approval of an ACI-2 (50) Overlay District
    (this adds the designated baseline to the
    existing district)

    LOCATION: Dodge Street generally from Saddle Creek
    Road west to 69th Street

    DISPOSITION: APPROVED 6-0.

18. C10-09-169 (D)
    Choyeske, LLC

    REQUEST: Rezoning from GI to NBD

    LOCATION: 1734 and 1736 South 13th Street

    DISPOSITION: APPROVED 6-0.

19. C10-09-170 (D)
    Five Fountains, LLC

    REQUEST: Rezoning from R3 to R4

    LOCATION: Cuming Circle east of 192nd Street

    DISPOSITION: APPROVED 6-0.

20. C10-09-171 (D)
    TLR Investments

    REQUEST: Rezoning from R2 and GC to R2 and GC
    (adjustment in the zoning boundary line)

    LOCATION: 8032 Maple Street

    DISPOSITION: LAID OVER 6-0. Laid over the requested rezoning to allow the applicant time to
    submit a minor plat with rezoning from R2 and GC to R2 and GC.
21. C10-09-172 (D)  
   Barry Mayfield  
   REQUEST: Rezoning from R3 to R4  
   LOCATION: 13609 and 13615 Miami Street  

DISPOSITION: APPROVED 6-0.

22. C10-09-173 (D)  
   Pauline Borromeo  
   REQUEST: Rezoning from R7 to R4  
   LOCATION: 3019 Pacific Street  

DISPOSITION: APPROVED 6-0.

Special Use Permits

23. C8-09-165 (D)  
   Mosaic  
   REQUEST: Approval of a Special Use Permit to allow Large group living in an R3 District (pending)  
   LOCATION: Southwest of 66th Street and Sorensen Parkway  

DISPOSITION: APPROVED 6-0. Approval of the Special Use Permit to allow Large group living in an R3 District subject to: 1) Recording the final plat of Ridgeview Heights; 2) Compliance with the proposed site plan; 3) Submittal of an acceptable landscape plan in compliance with all applicable regulations; 4) Compliance with the proposed building elevations; 5) Compliance with the proposed operating statement; 6) Compliance with the R3 District regulations; and 7) Compliance with Section 55-764 supplemental use regulations.

24. C8-09-187 (D)  
   Thomas Barker  
   REQUEST: Approval of a Special Use Permit to allow Automotive sales in a CC District  
   LOCATION: 20120 Veterans Drive  

DISPOSITION: LAID OVER 6-0. Laid over the request to allow the applicant to submit a revised site plan and additional information.

Conditional Use Permits

25. C7-09-174 (D)  
   Michael Donovan  
   REQUEST: Approval of a Conditional Use Permit to allow a Wind energy conservation system (WECS) in a GI District  
   LOCATION: 13747 Industrial Road  

DISPOSITION: LAID OVER 6-0. Laid over the request for additional information.
26. C7-02-118 (D)  
City of Omaha Police Department  
on behalf of the City of Omaha  
REQUEST: Approval of a Major Amendment to a Conditional Use Permit to allow Safety services in a GI District (Phase V – Police Canine Training Center)  
LOCATION: 11650 Rainwood Road  

DISPOSITION: APPROVED 6-0. Approved the major amendment to the Conditional Use Permit for Phase V, the Canine Training Center as proposed, subject to: 1) All conditions of approval for the Master Concept approved October 2002; 2) Compliance with the Memorandum of Understanding relative to the project dated December 3, 2002; 3) Compliance with the proposed Operating Statement for Phase V; 4) Compliance with the proposed site plan for Phase V; 5) Compliance with the proposed elevations for Phase V; and 6) Compliance with all applicable site development regulations.

Vacation

27. C14-09-175  
Planning Department  
on behalf of the City of Omaha  
REQUEST: Vacation of the alley between Elkhorn Drive and Glenn Street from 206th to 207th Street  

DISPOSITION: APPROVED 6-0. Approved the proposed right-of-way vacation.

Dedications

28. C16-09-176 (D)  
Property Owner  
REQUEST: Dedication of an irregular piece of land at the northeast corner of 108th and Fort Streets  

DISPOSITION: APPROVED 6-0.

ADDENDUM

Master Plan Referral

29. C3-09-189  
Planning Department on behalf of the City of Omaha  
REQUEST: Approval of an Amendment to Chapter 55 regarding supplemental use regulations for Wind energy conservation systems Omaha and 3-mile extraterritorial jurisdiction  

DISPOSITION: APPROVED 6-0.