PLANNING BOARD AGENDA

Public Hearing and Administrative Meeting
Wednesday, April 1, 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 April 1, 2009.

MEMBERS PRESENT:  R. J. Neary, Chairman
Anna Nubel
Pete Festersen
Robert Mancuso
John Hoich
Arnold Nesbitt
Thomas O. Kelley

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, March 23, 2009.

ADMINISTRATIVE MEETING

Subdivision Plats

1. C12-09-009
   Dan Dolezal, Ehrhart Griffin & Associates

   REQUEST: Final Plat approval of EMMA ADDITION, a subdivision inside the city limits
   LOCATION: Northwest of South 135th and “Q” Streets

   DISPOSITION: APPROVED 7-0. Approval of the Final Plat of EMMA ADDITION, subject to submittal of an acceptable final subdivision agreement, if necessary, prior to forwarding the plat to the City Council.

2. C10-08-184
   C12-08-185
   CR Investments, Inc.

   REQUEST: Final Plat approval of WOOD VALLEY (Phase II – Lots 285-295), a subdivision outside the city limits, with rezoning from AG to R4
   LOCATION: Northeast of 144th and Ida Streets

   DISPOSITION: APPROVED 7-0. Approval of the rezoning from AG to R4; APPROVAL of the Final Plat of WOOD VALLEY (Phase II – Lots 285-295), subject to submittal of an acceptable final subdivision agreement being submitted prior to forwarding the request to the City Council.
HOLD OVER CASES

Master Plan Referrals

3. C3-09-037
Planning Department on behalf of the City of Omaha
REQUEST: Approval of an Amendment to Chapter 55 regarding AG Cluster site development regulations
LOCATION: Omaha and 3-mile extraterritorial jurisdiction

DISPOSITION: APPROVED 7-0. Approval of an Amendment to Chapter 55 regarding AG Cluster site development regulations.

REGULAR AGENDA

Master Plan Referrals

4. C3-09-052
Bluestone Development, LLC
REQUEST: Approval of the Lot 9, LLC Mixed-use Building Project Redevelopment Plan
LOCATION: Southwest of 13th and Cuming Streets

DISPOSITION: APPROVED 7-0. Approval of the Lot 9, LLC Mixed-use Building Project Redevelopment Plan.

5. C3-09-053
Omaha Collision Company, LLC
REQUEST: Approval of the Omaha Collision Company, LLC Redevelopment Plan
LOCATION: 2340 Paul Street

DISPOSITION: APPROVED 7-0. Approval of the Omaha Collision Company, LLC Redevelopment Plan.

6. C3-09-054
TBF Company, LLC, General Partner
REQUEST: Approval of the Southern Valley Townhomes Redevelopment Plan
LOCATION: Southwest of 18th and “Q” Streets

DISPOSITION: APPROVED 7-0. Approval of the Southern Valley Townhomes Redevelopment Plan, to include the use of eminent domain if necessary.

7. C3-09-055
Planning Department on behalf of the City of Omaha
REQUEST: Approval of the 2009 Sanitary Interceptor Sewer Element of the Master Plan
LOCATION: Omaha and 3-mile extraterritorial jurisdiction

DISPOSITION: APPROVED 7-0. Approval of the 2009 Papillion Creek Sanitary Interceptor Sewer Element.

8. C3-09-056
Planning Department on behalf of the City of Omaha
REQUEST: Approval of an amendment to the Urban Development Element of the Master Plan to change the Zone of Present Development
LOCATION: Omaha and 3-mile extraterritorial jurisdiction

DISPOSITION: APPROVED 7-0. Approval of the Amendment to the Present Development Zone boundary, subject to the concurrent approval of the 2009 Papillion Creek Sanitary Interceptor Sewer Element.
9. C3-09-057
   J. Robert Perrin,
   REQUEST: Approval of an Amendment to the Land Use Element of the Master Plan from industrial to medium/high density residential
   LOCATION: Northeast of 40th and Mason Streets

DISPOSITION: APPROVED 7-0. Approval to amend the Land Use Element of the Master Plan to change the future land designation from industrial to medium density residential.

Subdivisions Plats

10. C12-09-049
    Planning Department on behalf of the City of Omaha
    REQUEST: Preliminary and Final Plat approval of UNION PACIFIC PLACE REPLAT 4, Lot 1, a minor plat inside the city limits
    LOCATION: Northwest of 10th and Webster Streets

DISPOSITION: APPROVED 7-0. Approval of the Preliminary and Final Plat for Union Pacific Place Replat 3, Lot 1, a minor plat inside the city limits.

11. C10-07-127
    C12-07-128
    Full Circle Ventures, Inc. c/o Herb Freeman
    REQUEST: Revised Preliminary Plat approval ofLEYTHAM, a subdivision outside the city limits, with rezoning from AG to DR, R4, and MU and approval of a NC (Neighborhood Conservation) Overlay District
    LOCATION: Northeast of 168th and State Streets

DISPOSITION: APPROVED 7-0. Approval of the rezoning plan to rezone from AG to DR, R4 and MU; APPROVAL of the NC (Neighborhood Conservation) overlay subject to the applicant addressing the following: 1) Although this development proposes the use of the Smart Code standards, it is being used in conjunction with the current City mixed use standards. Even if the standard mixed use development agreement format is not being used the same information should be provided, such as the area of land needed to meet the 10 percent minimum office space, the 12 percent maximum fast food, the amount of open space, the number of Center ID signs, and a sign budget. The development agreement and regulations proposed for this development is still under review and some additional information may need to be provided; 2) Elevations need to be provided; 3) The permitted uses within Leytham should be the same as the City’s approved Mixed Use regulations. There are uses listed as permitted by minor amendment. The MU section of the code, Section 55-563 list uses that are permitted or permitted through the use permit process which involves a major amendment; and 4) The Smart Code mentions a CRC, Consolidated Review Committee and the Minor and Major Amendment process. The Law Department will need to review this section to ensure that it fits with the City’s regulations; APPROVAL of the revised preliminary plat subject to the applicant submitting another revised preliminary plat application with, or prior to, submitting the final plat application that addresses the following: 1) Provide for grading both 168th and State Streets for future five-lane roadways and paving them to three-lane sections; 2) Prepare and submit 1:20 scale exhibits of the 165th and State Streets and 168th and Bondesson Streets intersections; 3) Note on the plat that direct access to both 168th and State Streets from adjacent lots will not be permitted; 4) Note on the plat that the 1/8th mile (from the 168th & State Street intersection) connections to both 168th and State Streets will be restricted right-in/right-out vehicular turning movements; 5) Provide noise attenuation easements at least 115’ from each street’s centerline for both 168th and State Streets; 6) Request a waiver of Section 53-8(4) Minimum design standards for lots with no frontage and for lots that do not meet the 100 foot minimum depth requirement; 7) Resolve all street design and construction issues and waivers prior to the submittal of the final plat application; 8) Provide for constructing temporary turnarounds at the terminus of all temporarily dead-ended streets; 9) Provide the appropriate access easements on the outlots for vehicular and pedestrian movement where necessary; 10) Submit cross-sections of all drainageways along with drainage calculations for a 100-year storm. Based on this information provide drainage easements greater than or equal to the standard 3:1 plus 20’ or the 100-year storm path, whichever is greater; 11) Adjust the outlots
to encapsulate the ultimate easement areas; 12) Coordinate the alignment and improvements for both the boulevard and parkway with the Parks and Recreation Department; 13) Obtain approval of parkway and boulevard acquisition and improvements from the Parks and Recreation Advisory Board before the submittal of the final plat application; 14) Resolve the 35’ deep “no build” easement that is typically required on all private property along both boulevards and parkways with the Parks and Recreation Department and Planning Department; 15) Submit a letter from Douglas County Emergency Management confirming that acceptable emergency warning is being provided for the area; 16) Submit a letter from Douglas County Environmental Services that indicates a noxious weed plan has been approved; 17) Prepare and submit a tree canopy loss analysis and, if necessary, a tree canopy loss mitigation plan; 18) Prepare and submit a wetlands analyses and, if any wetlands are damaged, a 3:1 mitigation plan; and 19) Provide for the private use, ownership and maintenance of all outlots in the subdivision agreement. Since there are so many outlots, an outlot section should be added to the subdivision agreement.

12. C10-08-254 C12-08-255 TBF Company, LLC

REQUEST: Revised Preliminary and Final Plat approval of SOUTHERN VALLEY (formerly 18th & “Q” Townhomes), a subdivision inside the city limits with a waiver of Section 53-8(4) Minimum design standards for lot depth, and rezoning from R4(35) to R5

LOCATION: Southwest of 18th and “Q” Streets

DISPOSITION: APPROVED 7-0. Approval of the rezoning from R4(35) to R5; APPROVAL of the waiver of Section 53-8(4) Minimum design standards for lot depth; APPROVAL of the Revised Preliminary Plat subject to: 1) Submittal of an acceptable tree canopy mitigation plan; 2) Submittal of an acceptable subdivision agreement; APPROVAL of the Final Plat subject to: 1) Submittal of an acceptable final subdivision agreement, including an acceptable tree canopy loss mitigation plan, prior to forwarding the request to the City Council; and 2) Providing the building envelopes on the final plat mylars.

Overlay Districts

13. C9-09-043 Mike Moylan

REQUEST: Approval of a Parking Overlay District

LOCATION: 2129 Binney Street

DISPOSITION: LAID OVER 7-0. Lay over the applicant's request for a parking overlay district to allow additional time to redesign the site plan meeting all landscaping requirements.

Rezonings

14. C10-09-038 Planning Department

REQUEST: Rezoning from MU to CC and approval of an ACI-2 Overlay District

LOCATION: 7808 Dodge Street

DISPOSITION: APPROVED 7-0. Approval of the rezoning from MU to CC, ACI-2.

15. C10-09-042 Val G. Splittgerber

REQUEST: Rezoning from R8 and GI to GI

LOCATION: 2316 and 2320 North 83rd Street

DISPOSITION: APPROVED 7-0. Approval of the rezoning from R8 and GI to GI.
16. C10-09-050
   C7-09-051
   Michael P. Mellen, Grubb & Ellis

REQUEST: Rezoning from GC to DS and Approval of a Conditional Use Permit to allow Warehousing and distribution (general) in a DS District

LOCATION: 2213-2215 Leavenworth Street

DISPOSITION: APPROVED 7-0. Approval of the rezoning from GC to DS with approval of an ACI-1 Overlay District designation; APPROVAL of the Conditional Use Permit, subject to: 1) Compliance with a revised site plan that provides: a) A minimum of 10 feet of landscaped area in compliance with Article XIII. Landscaping and Screening and Article XIV. Off-Street Parking and Loading Regulations of the Omaha Municipal Code and b) Screening in compliance with Section 55-786 of the Omaha Municipal Code around the storage area(s); 2) Compliance with the concept building elevations as amended to comply with Section 55-926 – Ground-level transparency of the Municipal Code; 3) Compliance with the proposed operating statement; and 4) Compliance with all other applicable regulations.

17. C10-09-041
   C7-09-04a
   J. Robert Perrin

REQUEST: Rezoning from GI to R6 and LO and Approval of a Conditional Use Permit to allow Multiple family residential in LO

LOCATION: Northeast of 40th and Mason Streets

DISPOSITION: APPROVED 7-0. Denial of the request to rezone from GI to R6 and LO; APPROVAL of a rezoning from GI to R6, as the Department recommended.

18. C10-06-166
   Bill Preston, Midwest First Financial, Inc.

REQUEST: Approval of a Major Amendment to the Mixed Use District Development Agreement (Candlewood Hills)

LOCATION: Northwest of 122nd Street and West Dodge Road

DISPOSITION: LAID OVER 7-0. Layover to allow for a redesign of the site that will bring the layout into compliance with the Mixed Use and Urban Design regulations.

Special Use Permits

19. C8-09-044
   Avery Schwer

REQUEST: Approval of a Special Use Permit to allow a Wind energy conservation system (WECS) in an R4(35) District

LOCATION: 6454 Woolworth Avenue

DISPOSITION: APPROVED 7-0. Approval of the WECS subject to: 1) Compliance with the proposed site plan; 2) Compliance with the proposed elevations; 3) Compliance with the proposed operating statement; 4) Compliance with all permit requirements; 5) Providing certification of approval of the method of interconnection and operation by the Omaha Public Power District prior to issuance of a permit through the Permits & Inspections Division of the Planning Department; and 6) Compliance with all other applicable regulations.

Vacations

20. C14-09-046
    Property Owner

REQUEST: Vacation of the east/west alley north of Cuming Street from 24th Street west 127 feet

DISPOSITION: APPROVED 7-0. Approval of the vacation subject to retention of any necessary easements in the vacating ordinance.
21. C14-09-047  
Property Owner  
REQUEST: Vacation of 1.5 feet of the alley adjacent on the west side of Lot 5, Block 12, Parkvale Addition (3018 South 35th Street)  

DISPOSITION: APPROVED 7-0. Approval of the vacation subject to retention of any necessary easements.

22. C14-09-048  
Property Owner  
REQUEST: Vacation of a segment of Weber Street adjacent to Lot 17, Block 1, Dillons 2nd Addition (behind 2722 Wyoming Street)  

DISPOSITION: DENIED 7-0. Denial of the requested right-of-way vacation.