PLANNING BOARD AGENDA

PUBLIC HEARING AND ADMINISTRATIVE MEETING

Wednesday, May 6, 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 May 6, 2009.

MEMBERS PRESENT: R. J. Neary, Chairman
Pete Festersen
Robert Mancuso
John Hoich
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, April 27, 2009.

PUBLIC HEARING AND ADMINISTRATIVE MEETING

Master Plan Referrals

1. C3-09-074
   Planning Department
   REQUEST: Surplus declaration and disposal of City-owned property
   LOCATION: 2302 "M" Street, 4805, 4807 and 4809 South 23rd Street

   DISPOSITION: APPROVED 5-0. Approval of the Surplus Declaration and Disposal of the subject property.

Subdivisions

2. C12-09-058 (D)
   Timothy Hank Robinson
   REQUEST: Preliminary and Final Plat approval of ROBINSON AND ROGER’S ADDITION, a minor plat located outside the city.
   LOCATION: Southeast of 72nd Street and Rainwood Road

   DISPOSITION: LAID OVER 5-0. Layover the Preliminary and Final Plat request to allow the applicant additional time to address the following issues: 1) Showing driveways, building envelopes and septic fields on the plat to determine whether a Special Use Permit to allow development in the North Hills Environmental Overlay District will be required; 2) Submit request for waiver of sidewalks, if desired; and 3) Changes to plat including right-of-way dedication, notations and corrections.
3. C10-09-059 (D) C12-09-060
Northwest Bible Fellowship

REQUEST: Preliminary and Final Plat approval of NORTHWEST BIBLE FELLOWSHIP, a subdivision located outside the city limits, with a waiver of Section 53-9(9), Improvements for sidewalks; with rezoning from AG to DR

LOCATION: Southeast of Highway 133 and Pawnee Road

DISPOSITION: LAID OVER 5-0. Layover the Preliminary Plat to allow the applicant additional time to: 1) Obtain approval from the development plan by the Department of Roads; 2) Provide a dedication of a minimum of 50 feet of right-of-way from the centerline of Pawnee Road adjacent to the plat; 3) Submit a Grading Plan that matches the future street profiles for Pawnee Road; 4) Submit an improvement plan for Pawnee Road to a 3-lane section, including left-hand southbound turn lane; with sidewalk; 5) Agree to relocate the proposed driveway connection to Pawnee Road further to the east in the future when such relocation is plausible; 6) Provide a notation on the plat that Pawnee Road may be restricted to right-in/right-out vehicular turning movements, in the future, as a result of the construction of Highway 133 and Pawnee Road intersection improvements; 7) Provide a note on the plat that there shall be no access to Highway 133; 8) Provide confirmation from Douglas County that a septic system (and back-up system) will be able to be approved; 9) Submit storm sewer design computations and plans to Douglas County for review; 10) Provide the Papio-Missouri River Natural Resources District with supporting calculations for the drainage study; 11) Submit a slopes analysis that shows the impact of proposed grading on steep slopes and the percentage that will be disturbed; and 12) Submit a letter from Douglas County Emergency Management confirming that acceptable emergency warning is or has been provided for the area; LAYOVER the request to rezone from AG to DR; and DENIAL of the waiver of Section 53-9(9) Improvements, for sidewalks.

4. C12-09-061 (D)
Sportscenter Properties, LLC

REQUEST: Preliminary and Final Plat approval of OMAHA WORKS INDUSTRIAL PARK REPLAT SEVEN, a minor plat inside the city limits

LOCATION: Northwest of 120th and "I" Streets

DISPOSITION: APPROVED 5-0. APPROVAL of the Preliminary Plat subject to: 1) Submittal of a revised drainage study; 2) Submittal of a Post Construction Storm Water Management Plan and maintenance agreement; and 3) Submittal of an acceptable 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 plat to the City Council.

5. C10-09-062 (D) C12-09-063
City of Omaha

REQUEST: Preliminary and Final Plat approval of HALL PLACE ADDITION REPLAT NO. 1, a minor plat located inside the city limits

LOCATION: Southeast of 18th and Ohio Streets

DISPOSITION: APPROVED 5-0. Approval of the Preliminary and Final Plat of HALL PLACE ADDITION REPLAT NO. 1, a minor plat located inside the city limits.
6. C12-09-064 (D)
   Richard DenHerder-Rescue Mission
   REQUEST: Preliminary Plat approval of OPEN DOOR MISSION ADDITION, a subdivision located inside the city limits
   LOCATION: Southwest of 23rd Street East and East Locust Street

   DISPOSITION: APPROVED 5-0. Approval of the Preliminary Plat subject to the following being provided at the time of or with submittal of the final plat: 1) Correct legal description; 2) A subdivision agreement that includes the maintenance of on street parking; 3) Final Plat certifications compliant with Section 53-4 of the subdivision ordinance; and 4) A drainage study that demonstrates the first ½ inch of storm water runoff will be detained on-site.

Rezonings

7. C10-09-069 (D)
   C7-09-070
   Abdulrahman Y. Mohamed
   REQUEST: Rezoning from GI to R4, and Approval of a Conditional Use Permit to allow Religious assembly in an R4 District
   LOCATION: 3902 Lake Street

   DISPOSITION: LAID OVER 5-0. Layover request for rezoning from GI to R4; and Layover the Conditional Use Permit request for Religious Assembly in an R4 District, to allow the applicant time to address issues regarding occupancy, required parking, building elevations and submit a detailed operating statement.

8. C10-09-071 (D)
   Mark Van Zile
   REQUEST: Rezoning from GI to R4
   LOCATION: 1217 South 15th Street

   DISPOSITION: APPROVED 5-0. Approval of the rezoning from GI to R4.

9. C10-09-072 (D)
   Josh Ballard
   REQUEST: Rezoning from GI to R4
   LOCATION: 1215 South 15th Street

   DISPOSITION: APPROVED 5-0. Approval of the rezoning from GI to R4.

10. C10-09-076 (D)
    James Gustafson
    REQUEST: Rezoning from DR and R3 to R3
    LOCATION: 3328 North 133rd Circle

    DISPOSITION: APPROVED 5-0. Approval of the rezoning from DR and R3 to R3.

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

    DISPOSITION: LAID OVER 5-0. Layover of the rezoning from R8-(Multiple Family Residential High Density) to MU-(Mixed Use) to allow the applicant time to meet with the neighbors and time to submit work on an acceptable Mixed Use Development Agreement that addresses the following prior to the request being forwarded to City Council: 1) The updated format of the Mixed Use Agreement should be used; 2) Include a statement that requires the amount of residential floor area to meet or exceed 50% of the total floor area; 3) Include a statement that indicates the buffer yard along California will be 20 feet in width; 4) Include a statement that addresses the maximum height of the buildings if they will not meet the CC-(Community Commercial) Regulations; 5) Remove the statement that refers to a Center Identification sign; 6) Update Exhibit E and E-1 to comply with the monument sign regulations; 7) Provide a pedestrian connection to the future park on the west side; 8) The sidewalk and greenspace along California must comply with Section 55 924; 9) Indicate the location of service areas on the plan; 10) Provide eight (8) handicap stalls; and 11) Comply with all applicable regulations of the Urban Design Article.
**Special Use Permits**

12. C8-09-067 (D)  
Paul Vonderfecht  
REQUEST: Approval of a Special Use Permit to allow a **Wind energy conservation system** (WECS) in a CC District  
LOCATION: Southwest of 108th Street and West Center Road  
DISPOSITION: APPROVED 5-0. Approval of the WECS subject to: 1) Compliance with revised site plans, in compliance with all applicable regulations, being submitted prior to forwarding the request to the City Council; 2) Compliance with building elevations prior to forwarding the request to the City Council; 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.

13. C8-09-068 (D)  
Northwest Bible Fellowship  
REQUEST: Approval of a Special Use Permit to allow **Religious assembly** in a DR District (pending)  
LOCATION: Southeast of Highway 133 and Pawnee Road  
DISPOSITION: LAID OVER 5-0. Layover.

14. C8-09-073 (D)  
Dawn Edan  
REQUEST: Approval of a Special Use Permit to allow a **Day care (general)** in an R4(35) District  
LOCATION: 2820 North 70th Avenue  
DISPOSITION: LAID OVER 5-0. Layover of the Special Use Permit to allow additional time for the applicant to address the following issues: 1) Submit a grading plan; 2) Submit retaining wall details; 3) A redesign of the site that address the following: a) Change the orientation of the building so that is faces the north and moves to the east, and b) Change the location of the parking so that it is on the north side of the lot, with possible parking pads in the rear; 4) Redesign the building so that it is more residential in nature; and 5) An updated operating statement that allows for 32 children but changes the hours of operation from 6 a.m to 6 p.m, or some other similar time frame that is not 24 hours.

15. C8-09-077 (D)  
Michael Simmonds  
REQUEST: Approval of a Special Use Permit to allow **Restaurant (drive-in)** in a CBD District  
LOCATION: Northeast of 14th and Cuming Streets  
DISPOSITION: APPROVED 5-0. Approval of the Special Use Permit to allow Restaurant (Drive In) in CBD, subject to: 1) Submittal of a revised site/landscape plan, prior to forwarding this request to the City Council: a) Changing the crab and spruce trees to over-story type trees such as Autumn Blaze Maple or Skyline Honey Locust, and b) Installation of a handicapped accessible stall; 2) Compliance with the revised site plan; 3) Compliance with the operating statement and elevations; 4) Submittal of and compliance with an acceptable overall sign plan for the site, including an elevation for the monument sign; 5) Any roof top equipment must be properly screened via an extension of the building parapet; 6) The trash enclosure near parking area must be constructed with the same materials as the building; and 7) Compliance with all applicable regulations.
16. C8-07-284 (D)  
Sportscenter Properties, LLC  
REQUEST: Approval of a Major Amendment to a Special Use Permit to allow Indoor Sports and Recreation in a GI District  
LOCATION: Northwest of 120th and "I" Streets  
DISPOSITION: APPROVED 5-0. Approval of the Major Amendment to the Special Use Permit for Indoor sports and recreation in a GI District subject to: 1) Compliance with the proposed site plan; 2) Compliance with the proposed landscape plan; 3) Compliance with the proposed operating statement; 4) Compliance with the proposed building elevations; 5) Compliance with all applicable regulations; 6) No outdoor storage or display; and 7) If necessary, providing additional parking, which exceeds the minimum amount required for the proposed use.

17. C8-09-082 (D)  
Nicole Humlicek  
REQUEST: Approval of a Special Use Permit to allow Daycare (general) in an R4 District  
LOCATION: 4812 South 194th Avenue  
DISPOSITION: APPROVED 5-0. Approval of the Special Use Permit to allow Daycare (general) in an R4 District subject to: 1) Compliance with the proposed site plan; 2) The proposed operating statement; 3) The hours of operation being limited to Monday through Saturday from 7:30 a.m. to 5:30 p.m.; and 4) Compliance with all applicable development regulations.

Conditional Use Permits

18. C7-09-066 (D)  
Nebraska Medical Center  
REQUEST: Approval of a Conditional Use Permit to allow Surface parking in a GC District  
LOCATION: 139 South 41st Street  
DISPOSITION: APPROVED 5-0. Approval of the request for a Conditional Use Permit to allow Surface Parking in GC, subject to: 1) Compliance with a revised landscape plan, as shown, but adding 1 tree on the north, 1 tree on the east and retaining as much existing landscaping as possible at the northwest corner of the site; 2) Compliance with operating statement; 3) Compliance with all other applicable regulations; 4) Submittal of an acceptable elevation for the proposed retaining wall; 5) No net increase in stormwater runoff from the site; and 6) Removal of barbed wire on fence.

19. C7-09-045 (D)  
Pat McNeil  
REQUEST: Approval of a Conditional Use Permit to allow Multiple family residential in a CC District  
LOCATION: Southwest of 108th Street and North Mill Road  
DISPOSITION: APPROVED 5-0. Approval of the Conditional Use Permit to allow Multiple family residential in a CC District subject to: 1) Compliance with a revised site and landscape plan in compliance with all applicable regulations; 2) Compliance with the proposed building elevations; 3) Compliance with the proposed operating statement; and 4) Properly subdividing the property.

20. C7-09-075 (D)  
Daniel Newcomer  
REQUEST: Approval of a Conditional Use Permit to allow a Wind energy conservation system (WECS) in a DR-ED District  
LOCATION: 11302 North Hwy 75  
DISPOSITION: APPROVED 5-0. 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; 6) Compliance with all other applicable regulations.

21. C7-09-025 (D)
The Lamar Company, LLC
REQUEST: Approval of a Major Amendment to a Conditional Use Permit for a “Takedown Plan” for Off-Premise Advertising Signs
LOCATION: Omaha and 3-mile extraterritorial jurisdiction

DISPOSITION: APPROVED 5-0. Approval of the proposed takedown plan amendment.

22. C7-09-078
Waitt Outdoor, LLC
REQUEST: Approval of a Conditional Use Permit for a “Takedown Plan” for Off-Premise Advertising Signs
LOCATION: Omaha and 3-mile extraterritorial jurisdiction

DISPOSITION: APPROVED 4-0. Approval of the proposed takedown plan submitted by Waitt to allow the eventual erection of 5 digital off-premise signs subject to the following: Adherence to all applicable standards regarding the operation of the digital signs.

23. C7-09-079 (D)
Jun Kaneko
REQUEST: Approval of a Conditional Use Permit to allow Warehousing and distribution (general) in a DS District
LOCATION: 2001 Leavenworth St.

DISPOSITION: APPROVED 5-0. Approval of the Conditional Use Permit subject to the following: 1) Compliance with the submitted site plan; 2) Compliance with the proposed operating statement which includes duration of one year for the use permit; and 3) Compliance with all other applicable regulations.

Dedications

24. C16-09-065 (D)
Property Owner
REQUEST: Plat and Dedication of approximately 13 feet of land adjacent to Avenue “J” on the north and adjacent to N. 20th Street East on the East
LOCATION: Northeast of North 20th Street East and Avenue “J”

DISPOSITION: APPROVED 5-0. Approval of the dedication.

ADDENDUM

25. C8-09-080 (D)
Ray Trimble
REQUEST: Approval of a Special Use Permit to allow “General office” use types in a GI District
LOCATION: 4383 Nicholas Street

DISPOSITION: APPROVED 5-0. Approval of the Special Use Permit to allow “Office use types” in a GI District subject to: 1) Compliance with the proposed site plan; 2) Compliance with the proposed landscape plan; 3) Compliance with all applicable site development regulations; 4) Compliance with the proposed operating statement; 5) Issuance of all applicable permits and Certificates of Occupancy; 6) Future review and approval of any other Conditional or Special Use Permit required for a potential tenant that does not fall into the “Office use types” category; and 7) No outdoor storage.
If alternative (tape) to the agenda is needed, please advise Cheri Rockwell. A 72-hour advance notice is required.