DISPOSITION AGENDA

This document states the disposition of cases before the Planning Board at their Public Hearing and Administrative meeting held on June 3, 2009.

MEMBERS PRESENT: Anna Nubel, Vice Chair
Pete Festersen
Robert Mancuso
John Hoich
Arnold Nesbitt
Thomas O. Kelley

MEMBERS ABSENT: R. J. Neary, Chairman

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ADMINISTRATIVE MEETING

Subdivision Plats

1. C12-09-036
   Omaha Public Power District
   REQUEST: Final Plat approval of OMAHA PUBLIC POWER DISTRICT SUBDIVISION WEST, a subdivision outside the city limits
   LOCATION: Northeast of 204th and Pacific Streets
   DISPOSITION: APPROVED 6-0. Approved the final plat.

Hold Over Cases

2. C10-09-059 (D)
   C12-09-060
   Northwest Bible Fellowship
   REQUEST: Preliminary and Final Plat approval of NORTHWEST BIBLE FELLOWSHIP, a minor plat located outside the city, 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: APPROVED 6-0. Denied the waiver of Section 53-9(9) Improvements, for sidewalks; APPROVED the request to rezone from AG to DR; APPROVED the Preliminary Plat subject to: 1) Obtaining approval from the development plan by the Department of Roads; 2) Providing a dedication of a minimum of 50 feet of right-of-way from the centerline of Pawnee Road adjacent to the plat; 3) Submitting an improvement plan for Pawnee Road to a 3-lane section,
including left-hand southbound turn lane; with sidewalk; 4) Agreeing to relocate the proposed driveway connection to Pawnee Road further to the east in the future when such relocation is plausible; 5) Providing 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; 6) Providing a note on the plat that there shall be no access to Highway 133; and 7) Submitting a letter from Douglas County Emergency Management confirming that acceptable emergency warning is or has been provided for the area. Approval of the Final Plat subject to compliance with the conditions of preliminary plat approval and submittal of an acceptable final subdivision agreement prior to forwarding the request to the City Council.

   REQUEST: Preliminary 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: LAID OVER 6-0. Laid over until the July 1, 2009 meeting at the applicant’s request.

Overlay Districts

4. C9-09-043 (D) Mike Moylan
   REQUEST: Approval of a Parking Overlay District
   LOCATION: 2129 Binney Street
   DISPOSITION: APPROVED 6-0. Approved the Parking Overlay District in an R7 District subject to: 1) Approval of all necessary Zoning Board of Appeals waivers prior to the request being forwarded to the City Council; and 2) Submittal of a revised site plan indicating a plan to build a handicapped ramp to current standards at the intersection of 22nd and Binney Streets prior to the request being forwarded to the City Council.

Rezonings

5. 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 a R4 District
   LOCATION: 3902 Lake Street
   DISPOSITION: APPROVED 6-0. Approved the rezoning from GI to R4; APPROVED the Conditional Use Permit to allow Religious assembly in a R4 District, subject to: 1) Compliance with revised site plan, elevations plans and operating statement; 2) The capacity of the largest place of public assembly is limited to 170; 3) Installation and compliance with landscape plan with over-story trees along streets and adjacent to parking; 4) Compliance with all applicable city ordinances and regulations; 5) Installation of at least a 10 space bicycle rack; 6) No net increase in stormwater runoff; 7) Removal of fence along streets; 8) The sidewalks adjacent to the site and the handicapped ramps at the corner being rebuilt; and 9) Being granted the necessary waivers from the Zoning Board of Appeals.

6. C10-09-081 (D) AP Investments, LLC
   REQUEST: Rezoning from R8 to MU
   LOCATION: Northwest of 186th Avenue and West Dodge Road
   DISPOSITION: LAID OVER 6-0. Laidover until the July 1, 2009 meeting at the applicant’s request.
Special Use Permits

7. **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:** APPROVED 6-0. Approved the Special Use Permit to allow *Religious assembly* in a DR District subject to: 1) Compliance with the proposed site plan as amended to comply with all applicable development regulations; 2) Compliance with the proposed landscape plan; 3) Compliance with the proposed operating statement; 4) Approval of NORTHWEST BIBLE FELLOWSHIP subdivision by the City Council; 5) Filing NORTHWEST BIBLE FELLOWSHIP with the Douglas County Register of Deeds; 6) Issuance of all required building, well and septic permits; and 7) Issuance of a Certificate of Occupancy.

Regular Agenda

Master Plan Referrals

8. **C3-09-095**
   Planning Department on behalf of the City of Omaha
   **REQUEST:** Approval of an Amendment to the Urban Development Element of the Master Plan regarding development in the Future Development Zone
   **LOCATION:** Omaha and 3-mile extraterritorial jurisdiction

**DISPOSITION:** APPROVED 6-0. Approved the proposed amendment.

9. **C3-09-106 (D)**
   Planning Department on behalf of the City of Omaha
   **REQUEST:** Approval of an Amendment to Chapter 55 Zoning regarding Section 55-845 Areas of special graphic control.
   **LOCATION:** Omaha and 3-mile extraterritorial jurisdiction

**DISPOSITION:** LAID OVER 6-0. Laid over the changes to Article XVII – Sign and Street Graphics Regulations – Area of Special Graphic Control.

10. **C3-09-107**
    Planning Department on behalf of the City of Omaha
    **REQUEST:** Approval of an Amendment to Chapter 55 Zoning regarding Section 55-742 Parking of personal vehicles on residential lot.
    **LOCATION:** Omaha and 3-mile extraterritorial jurisdiction

**DISPOSITION:** APPROVED 6-0. Approved the proposed amendment.

Subdivisions

11. **C12-09-090 (D)**
    **REQUEST:** Preliminary and Final Plat approval of DRUID HILL ADDITION REPLAT 7, a minor plat inside the city limits, with rezoning from R4(35) and GI to GI
    **LOCATION:** 3167 Spaulding Street

**DISPOSITION:** APPROVED 6-0. Approved the rezoning from R4(35) and GI to GI; APPROVED the preliminary plat; and APPROVED the final plat.
12. C10-09-099 (D)
   C12-09-100
   Randy Meyer/Meyer & Associates

   REQUEST: Preliminary and Final Plat approval of
   TANGIER CENTER, a minor plat inside the city limits, and Approval of an MCC Overlay
   District

   LOCATION: Southeast of 84th Street & West Center Road

   DISPOSITION: APPROVED 6-0. Approved the MCC Overlay District; APPROVED the preliminary
   plat subject to: 1) Coordinating with the Public Works Department regarding the required right-of-
   way dedication along West Center Road; and 2) Consolidation of the existing driveways along
   West Center Road into one (1) driveway, approved by the Public Works Department; APPROVED
   the final plat, as amended by the conditions of preliminary plat approval.

13. C10-09-101(a) (D)
   C12-09-101
   Brad Underwood

   REQUEST: Preliminary and Final Plat approval of
   CEDAR FARM, a minor plat outside the city limits, with rezoning AG and DR to DR

   LOCATION: 8605 North 225th Street

   DISPOSITION: APPROVED 6-0. Approved the rezoning from AG and DR to DR; APPROVED the
   Preliminary Plat subject to: 1) Providing additional right-of-way dedication of a minimum of 50
   feet from the centerline of 225th Street; and 2) Approval of a “Noxious Weed Control Plan” by
   Douglas County; APPROVED the Final Plat subject to compliance with the conditions of
   preliminary plat approval and submittal of an acceptable final subdivision agreement, if
   necessary, prior to forwarding the plat to the City Council.

14. C10-09-103(a)
   C12-09-103
   Calamar Enterprises, Inc.

   REQUEST: Preliminary and Final Plat approval of
   SUGAR’S PLACE, a minor plat outside the city limits, with rezoning from AG to DR and R6

   LOCATION: Northwest of 156th and Ida Streets

   DISPOSITION: APPROVED 6-0. Approved the rezoning from AG to DR and R6; APPROVED the
   Preliminary Plat subject to: 1) Providing a note in the subdivision agreement that the current
   access to Lot 1 from Ida Street will be closed upon change of use or further zoning and/or
   subdivision request; 2) Submittal of cross section information, for review purposes, that shows
   the relationship of the proposed site grading to the existing and future 156th and Ida Street
   improvements; 3) Providing a grading easement on the plat to the City of Omaha and Douglas
   County for future improvements to 156th and Ida Streets; 4) Providing cross sections of the
   drainageway between Lot 1 and 2 are needed to verify the width of the erosion setback and the
   proposed drainageway easement; 5) Approval of a “Noxious Weed Plan” by Douglas County; 6)
   Providing an access easement to the north and west as well as between the two (2) lots included
   in the subdivision; 7) Provide a 30’ landscaped buffer easement on the plat along the north and
   west property lines of the project. The landscaping plan will need to be addressed in the
   subdivision agreement. Plantings shall only be required along the built area of the lot and plant
   sizes shall be a minimum of 4” or 8”; APPROVED the Final Plat subject to compliance with the
   conditions of preliminary plat approval and submittal of an acceptable final subdivision
   agreement prior to forwarding the final plat to the City Council.
15. C12-09-104 (D)  
Stapel Group, LLC  
REQUEST: Preliminary and Final Plat approval of “J” STREET INDUSTRIAL PARK, a minor plat inside the city limits  
LOCATION: 10415 “J” Street  

DISPOSITION: APPROVED 6-0. Approved the preliminary subject to providing a copy of the deed for the property located to the west; APPROVED the final plat subject to the compliance with the condition of preliminary plat approval being met prior to forwarding the final plat to the City Council.

Overlay Districts

16. C10-05-178  
C11-05-178(a)  
Brookestone Meadows, Inc.  
REQUEST: Rezoning from AG and R7 to R7 and Approval of a Major Amendment to the Planned Unit Development  
LOCATION: 525 South 204th Street  

DISPOSITION: APPROVED 6-0. Approved the rezoning from AG and R7 to R7; APPROVED the Major Amendment to the PUD, subject to submittal of revised plans that eliminate the secondary access to Jones Street and recording Omaha Public Power District Subdivision West and Brookestone Meadows Replat 2, prior to forwarding the request to the City Council.

Rezonings

17. C10-09-085 (D)  
Kim L. Kowalewski  
REQUEST: Rezoning from GI to R5  
LOCATION: 2117 Poppleton Avenue  

DISPOSITION: APPROVED 6-0. Approved the rezoning from GI to R5.

18. C10-09-087  
Daniel J. Hazuka  
REQUEST: Rezoning from DR to R5  
LOCATION: 6011 Holmes Street  

DISPOSITION: APPROVED 6-0. Denied the rezoning from DR to R5; APPROVED the rezoning from DR to R4.

19. C10-09-088  
Mark Van Der Hart  
REQUEST: Rezoning from R6 to GC  
LOCATION: 20558 Glenn Street  

DISPOSITION: APPROVED 6-0. Laid over the rezoning from R6 to GC; APPROVED the rezoning from R6 to CC; That the applicant request a waiver of Section 55-363 be granted by the Zoning Board of Appeals to allow the existing Body and fender repair services use type in its present capacity.

20. C10-09-098  
Kristi Lee  
REQUEST: Rezoning from R7 to R4  
LOCATION: 1124 South 30th Avenue  

DISPOSITION: APPROVED 4-2. Approved the rezoning from R7 to R4.
21. C10-05-208  
C12-05-209  
Roanoke, Inc.  

REQUEST: Approval of a Major Amendment to a Mixed Use Development Agreement for Roanoke Business Park  

LOCATION: Southeast of 120th and Fort Streets  

DISPOSITION: APPROVED 5-0. Approved the Major Amendment to the Mixed Use District Development Agreement for Roanoke Business Park, subject to submittal of acceptable Mixed Use District Development Agreement Amendment prior to forward the request to the City Council.  

22. C8-09-086  
Abdikadir Muya  

REQUEST: Approval of a Special Use Permit to allow Day care (general) in a R5(35) District  

LOCATION: 3611 Seward Street  

DISPOSITION: APPROVED 5-0. Approved the Special Use Permit to allow Day care services (general) in an R5(35) District subject to: 1) Submittal of a revised operating statement that limits the hours of operation from 6 a.m. to 6 p.m. prior to the request being forwarded to the City Council; 2) Compliance with this revised operating statement; and 3) Compliance with all applicable development regulations.  

23. C8-09-092 (D)  
7 Day Auto  

REQUEST: Approval of a Special Use Permit to allow Automotive sales in a GC District  

LOCATION: 4911 South 72nd Street  

DISPOSITION: LAID OVER 6-0. Laid over to allow the applicant time to submit additional information regarding existing uses and their floor areas and for a revised site plan, drawn to scale, showing all existing and proposed site improvements including landscaping, etc.  

24. C8-09-093  
Tibebe Wolde  

REQUEST: Approval of a Special Use Permit to allow Automotive sales in a GC District  

LOCATION: 3156 (3152) Leavenworth Street  

DISPOSITION: LAID OVER 5-0. Laid over the request in order for the applicant to submit a site plan that addresses the following: 1) Provided an updated site plan the shows existing public improvements including street, driveway, sidewalks, etc.; 2) Apply for the MCC Overlay; 3) Submit a site plan that meets the green parking standards as set forth in Section 55-927; 4) Include a 10 foot bufferyard on the north side of the parking lot, along with screening six feet in height and the interior side of the bufferyard; 5) Five feet of parking lot perimeter landscaping should be included along the alley; 6) Ten feet of parking lot perimeter landscaping should be put in along Leavenworth Street, along with 4 Honey Locust; 7) The parking lot should reduce the amount of display area in order to reduce the amount of stall, so a future tenant has the possibility of meeting the parking requirement; 8) Remove the two parking stalls in the corners at the north end of the parking lot; 9) The parking stalls should be designed in a manner that meets the Off-Street Parking Design Standards; 10) Include one handicap parking stall and one van accessible drive aisle; 11) No outdoor speakers will be allowed; and 12) All exterior lighting should be full cut off and meet the requirements of the Electrical Code, Chapter 44, of the Municipal Code.  

25. C8-09-097 (D)  
Compassionate Memory Care  

REQUEST: Approval of a Special Use Permit to allow Large group living in a R2 District  

LOCATION: 2402 North 102nd Street
DISPOSITION: LAID OVER 6-0. Laid over until the August 5, 2009 meeting at the applicant’s request.

26. C8-04-265 (D)
Ron Hansacker
REQUEST: Approval of a Major Amendment to a Special Use Permit to allow Scrap and salvage services in a GI District
LOCATION: 1701-1715 South 13th Street

DISPOSITION: LAID OVER 6-0.

Conditional Use Permits

27. C7-09-083 (D)
Patrick Lindsey
REQUEST: Approval of a Conditional Use Permit to allow Religious assembly in an R4 District
LOCATION: 15002 Blondo Street

DISPOSITION: APPROVED 6-0. Approved the Conditional Use Permit to allow Religious assembly in an R4 District subject to: 1) The applicant obtaining any necessary zoning ordinance waivers prior to the issuance of the Conditional Use Permit; 2) Planting of 18 overstory species trees evenly spaced along Blondo Street; 3) Compliance with the proposed operating statement; 4) Compliance with the proposed site plan; and 5) Compliance with all applicable development regulations.

28. C7-09-096 (D)
Linda Lunt
REQUEST: Approval of a Conditional Use Permit to allow Medical office in an LO District
LOCATION: 1938 North 85th Street

DISPOSITION: APPROVED 6-0. Approved the Conditional Use Permit to allow Medical office in an LO District subject to: 1) Compliance with the site/landscape plan; 2) Compliance with the building elevation; 3) Compliance with the operating statement; 4) Compliance with all other applicable regulations; and 5) Issuance of a Certificate of Occupancy for the proposed use.

29. C7-09-102 (D)
Marcella Gilbert
REQUEST: Approval of a Conditional Use Permit to allow a Kennel in a DR District
LOCATION: Northwest of 156th and Ida Streets

DISPOSITION: APPROVED 6-0. Approved the Conditional Use Permit to allow a Kennel in a DR District subject to: 1) Compliance with the site plan; 2) Compliance with the operating statement; and 3) Compliance with all other applicable regulations.

Vacations

30. C14-09-084 (D)
Planning Board
REQUEST: Vacation of the west 2’ of 38th Avenue from Davenport to Chicago Street and the south 1’ of Chicago Street from 38th Avenue to 40th Street

DISPOSITION: APPROVED 6-0. Approved the requested vacation subject to retention of any necessary easements in the vacating ordinance.

31. C14-09-089 (D)
Property Owner
REQUEST: Vacation of the south 11’ of Spring Street from 24th Street east 80.10’
DISPOSITION:  APPROVED 6-0.  Approved the requested vacation subject to retention of any necessary easements in the vacating ordinance.

Dedications

32.  C16-09-105 (D)  REQUEST:  Plat and Dedication of the south 17’ of Lot 1, OPPD SUB 3453
     Property Owner  LOCATION:  Northwest of 201st and Pacific Streets

DISPOSITION:  APPROVED 6-0.  Approved the dedication.