PUBLIC HEARING AND ADMINISTRATIVE MEETING
Wednesday, November 3, 2010, 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 November 3, 2010.

MEMBERS PRESENT: Anna Nubel, Chair
John Hoich, Vice Chair
R. J. Neary
Arnold Nesbitt
Thomas O. Kelley
Van C. Deeb
Greg Rosenbaum

MEMBERS NOT PRESENT: None

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, October 25, 2010.

Public Hearing and Administrative Meeting

HOLD OVER CASES

Rezonings

1. C10-97-090 (D) Dino’s Storage

REQUEST: Approval of a Major Amendment to the Mixed Use District Development Agreement for Hillsborough Plaza to allow Warehousing and distribution (limited)

LOCATION: Northeast of 147th Street and West Maple Road

DISPOSITION: APPROVED 7-0. Approval of the Major Amendment to a Mixed Use Agreement to allow Warehousing and distribution (limited) on Hillsborough Plaza Replat and associated site plan.
Special Use Permits

2. C8-10-150 (D) Jeremy Bryant
   REQUEST: Approval of a Special Use Permit to allow Personal services in a GI District
   LOCATION: 2922 North 61st Street

DISPOSITION: APPROVED 7-0. Approval of the Special Use Permit to allow Personal services in a GI District subject to: 1) Compliance with the site plan; 2) Compliance with the floor plan; 3) Compliance with the operating plans; and 4) The provision of the 5 leased off-street parking spaces.

(REGULAR AGENDA)

Master Plan Referrals

   REQUEST: Approval of a variance from the Future Development Zone specifications of the Urban Development Element of the City of Omaha Master Plan
   LOCATION: Northeast of 168th and Ida Streets

DISPOSITION: APPROVED 7-0.

4. C3-10-169 Planning Department on behalf of the City of Omaha
   REQUEST: Approval of the 2011 Action Plan
   LOCATION: Omaha and 3-mile extraterritorial jurisdiction

DISPOSITION: APPROVED 7-0.

Subdivision Plats

   REQUEST: Preliminary Plat approval of HIGHLAND RIDGE, a subdivision outside the city limits, with rezoning from AG to DR and R4
   LOCATION: Northeast of 168th and Ida Streets

DISPOSITION: APPROVED 7-0. Approval of the rezoning from AG to DR and R4. Approval of the Preliminary Plat subject to the following being included on the final plat or provided for in the subdivision agreement: 1) Provide an additional 10 feet of right-of-way for the first 300 feet from the intersection of 168th and Ida Streets; 2) Provide for the paving of 168th and Ida Streets, adjacent to the subdivision, to three (3) lanes; 3) Reducing the median width on North H.W.S. Cleveland Boulevard off of 168th Street to a maximum 4 feet; 4) Verify that the proposed taper on North H.W.S. Cleveland Boulevard north of Potter Street is adequate; 5) Verify that there is adequate sight distance at 163rd and Black Street; 6) Change the name of 167th Terrace if it is not a private street; 7) Provide for traffic calming on any street in excess of 1,000 feet; 8) Provide storm sewer design computations and final plans to Douglas County for review that relate to the handling of roadway and site drainage along the development boundaries adjacent to 168th and Ida Streets; 9) Provide for sidewalks, as required; 10) Provide cross sections for review that show the relationship of the proposed site grading to the existing and future 168th and Ida Street improvements; 11) Coordinate stormwater treatment with the Public Works Department; 12) Including provisions in the subdivision agreement for post-construction stormwater treatment and include the fees as outlined in the Municipal Code; 13) Providing a post-construction stormwater management plan that demonstrates control of the first 1/2’” of runoff and provides for a no-net increase in runoff from the 2-year storm event; 14) Submit a drainage study to the PMRNRD with the design computations for the ponds included; 15) The subdivision agreement needs to have all the standard language for all 3 park fees; 16) Park Board approval for the boulevard improvement plans and costs prior to submittal of a final plat; 17) Including provisions...
for use, ownership and maintenance of the outlots in the subdivision agreement; 18) Providing a letter of approval of a Noxious Weed Plan from Douglas County with the final plat; 19) Provide a letter from Douglas County Emergency Management confirming that acceptable emergency warning is being provided for the area; and 20) A debt ratio of 4% or less.

6. **REQUEST:** Preliminary and Final Plat approval of SSAM PROPERTIES ADDITION, a subdivision inside the city limits  
   **LOCATION:** 15803 & 15815 Pacific Street  
   **DISPOSITION:** APPROVED 7-0. Approval of the Preliminary Plat, subject to placement of a note on the Final Plat indicating that there shall be no new access to Pacific Street. Approval of the Final Plat as amended by the condition of Preliminary Plat approval.

7. **REQUEST:** Preliminary and Final Plat approval of ROGERS RIDGE REPLAT 4, a subdivision inside the city limits  
   **LOCATION:** 1425 Skyline Drive  
   **DISPOSITION:** APPROVED 7-0. Approval of the Preliminary Plat, subject to: 1) Providing access to public sanitary sewer lines for proposed Lot 2. Unless the applicant provides information that a connection can be made off of Skyline Drive, an easement will need to be provided on the Final Plat allowing access to the existing sanitary sewer line located at the northeast portion of the subject property; and 2) Removing the existing outbuilding from proposed Lot 2 or obtain a waiver from the Zoning Board of Appeals to allow the structure to remain. Approval of the Final Plat subject to compliance with the conditions of Preliminary Plat approval and submittal of an acceptable subdivision agreement, if necessary, prior to forwarding the Final Plat to City Council.

8. **REQUEST:** Preliminary and Final Plat approval of DOUGHERTY PLACE, a subdivision inside the city limits, with a waiver of Section 53-8(4)(a) Minimum lot depth, and with rezoning from R7 and GC to R7 and CC (portions of which property are located within an ACI-2 Overlay District)  
   **LOCATION:** 4900 Dodge Street  
   **DISPOSITION:** APPROVED 7-0. Approval of the waiver of Section 53-8-(4) Lot depth of the Municipal Code (100’ to 99.76 and 99.67). Approval of the rezoning from R7 and GC to R7 and CC (portions of which property are located within an ACI-2 Overlay District). Approval of the Preliminary Plat, subject to: 1) The applicant receiving any necessary Zoning Board of Appeals waivers prior to the final plat being forwarded to the City Council; and 2) The applicant coordinating any off-site public improvements adjacent to the site with the Public Works Department. Approval of the Final Plat as amended by the preliminary plat conditions of approval and submittal of a final subdivision agreement, if necessary.

9. **REQUEST:** Revised Preliminary and Final Plat approval of SOUTHERN VALLEY, a cluster subdivision inside the city limits, with rezoning from R4(35) to R5  
   **LOCATION:** Southwest of 17th and “Q” Streets  
   **DISPOSITION:** LAYOVER 6-0. Laid over to allow the applicant time to explore alternatives to the proposed lot layout, request a waiver of Section 53-8(4) Lot depth for the revised lot layout, if necessary, and remove the “cluster” designation from the proposed subdivision.
10. C10-10-160
C12-10-161
Metropolitan Utilities District

REQUEST: Preliminary Plat approval of MUD ACRES, a subdivision located outside the city limits, with a waiver of Section 53-9(9) Sidewalks of the Municipal Code, and rezoning from DR to DR and GI (portions of which property lie within the flood fringe)

LOCATION: Southeast of 120th Street and Military Road

DISPOSITION: APPROVED 7-0. Approval of the rezoning from DR to DR and GI (portions of which property lie within the flood fringe) subject to the associated Large Project Special Use Permit (Case #C8-10-173) being approved prior to or simultaneously with the rezoning. Approval of the preliminary plat subject to the following being included on the final plat or in the subdivision agreement: 1) A note on the final plat that all driveways will be right-in/right-out in the future; 2) Providing for construction of deceleration lanes for the driveways on 120th Street and Military Road; 3) Provide for the extension of the sidewalk along 120th Street to connect to the sidewalks stub approximately 430’ north of Fort Street; 4) Providing for post-construction stormwater treatment and the fees as outlined in the Municipal Code; 5) Providing for use, ownership and maintenance of the outlot; and 6) All improvements being provided for privately. Items #1 and #2 will be discussed between the applicant, Public Works and the Planning Department before going to City Council. Denial of the waiver of Section 53-9(9) Sidewalks of the Municipal Code.

11. C12-10-162
Mel Friesen on behalf of Community Bible Church

REQUEST: Preliminary and Final Plat approval of BAY MEADOWS REPLAT 8, a subdivision inside the city limits

LOCATION: Southwest of 90th and "Q" Streets

DISPOSITION: APPROVED 7-0. Approval of the preliminary and final plat.

12. C10-10-174 (D)
C12-10-175
Orange Development

REQUEST: Preliminary and Final Plat approval of CVS 2nd ADDITION, a subdivision inside the city limits with approval of a MCC-Major Commercial Corridor Overlay District

LOCATION: Southeast of 84th Street and West Center Road

DISPOSITION: APPROVED 7-0. Approval of the MCC Overlay District, preliminary plat, and final plat.

Rezonings

13. C10-10-163 (D)
City of Omaha

REQUEST: Rezoning from R7 to R5

LOCATION: 2109, 2111 and 2113 Ohio Street

DISPOSITION: APPROVED 7-0.

14. C10-10-164 (D)
City of Omaha

REQUEST: Rezoning from R7 to R5

LOCATION: 2213, 2219, 2222 and 2226 Miami Street

DISPOSITION: APPROVED 7-0.

15. C10-10-165 (D)
City of Omaha

REQUEST: Rezoning from R7 to R5

LOCATION: 1818, 1820, 1822 and 1824 Corby Street

DISPOSITION: APPROVED 7-0.

16. C10-10-166 (D)
City of Omaha

REQUEST: Rezoning from R7 to R5

LOCATION: 2011 and 2013 Ohio Street

DISPOSITION: APPROVED 7-0.
DISPOSITION: APPROVED 7-0.

17. C10-10-167  
   City of Omaha  
   REQUEST: Approval of an NCE-C Neighborhood Conservation and Enhancement District  
   LOCATION: South 10th Street from Downtown to I-80

DISPOSITION: APPROVED 7-0. Approval of the NCE-C District.

18. C10-02-262 (D)  
    Dennis Plachy  
    REQUEST: Approval of a Major Amendment to the Mixed Use District Development Agreement for West Dodge Station to allow a 48 foot tall wall sign  
    LOCATION: Northwest of 180th Street and West Dodge Road

DISPOSITION: APPROVED 7-0. Approval of the Major Amendment to the West Dodge Station Mixed Use District Development Agreement, subject to the submittal of an acceptable mixed use agreement amendment prior to the request being forward to the City Council.

Special Use Permits

19. C8-10-173  
    Metropolitan Utilities District  
    REQUEST: Approval of a Large Project Special Use Permit in a GI District (pending)  
    LOCATION: Southeast of 120th Street and Military Road

DISPOSITION: APPROVED 7-0. Approval of the Large Project Special Use Permit subject to: 1) The applicant recording MUD Acres subdivision; 2) Compliance with the proposed site plan; 3) Compliance with a landscape plan in compliance with Article XIII. Landscaping and Screening of the Municipal Code; 4) Compliance with the proposed concept building elevations; 5) The fencing elevation being amended to comply with applicable codes; 6) Providing sidewalks along 120th Street and Military Road adjacent to the site and extension of the sidewalk along 120th Street to connect to the existing sidewalk stub approximately 430’ north of Fort Street; 7) Compliance with the City’s sign ordinances; 8) Compliance with the proposed operating statement; 9) That all of the existing natural features on Outlot “A”, MUD acres are retained and undisturbed; and 10) Compliance with all other applicable regulations.

Conditional Use Permits

20. C7-10-168 (D)  
    Nick Kirshenbaum  
    REQUEST: Approval of a Conditional Use Permit to allow Automotive repair in a CC District  
    LOCATION: 14225 “Q” Street

DISPOSITION: APPROVED 7-0. Approval of the Conditional Use Permit to allow an Automotive repair services shop in a CC District subject to the following conditions: 1) The required screening along “Q” Street to consist of landscaped shrubbery rather than a semi-privacy fence. The shrubs should be planted a minimum of ten (10) feet off of the north property line and four (4) feet off-center; 2) Prior to or along with the application for a building permit, a post-construction stormwater management plan and maintenance agreement that treats the first half inch of runoff must be submitted; 3) Submittal of an application for rezoning to add the MCC-Major Commercial Corridor Overlay District to the site; 4) Providing and recording a cross access easement with the property to the west; 5) Limiting all repair activities to the completely enclosed building; 6) No outdoor storage of parts or partially dismantled vehicles; 7) Compliance with the site plan and operating statement; 8) Compliance with the MCC regulations including building design, signage and landscaping; and 9) Compliance with all other applicable regulations.
21. C7-10-172 (D)  
Jay Dubya  
REQUEST: Approval of a Conditional Use Permit to allow Single-family (detached) in a CC District  
LOCATION: 101 North 39th Street  

DISPOSITION: APPROVED 7-0. Approval of the Conditional Use Permit to allow Single-family (detached) in a CC District, subject to the following conditions: 1) Compliance with all applicable regulations; and 2) Any use for the property other than single-family residential will require review of this Use Permit by the Planning Department.

22. C7-90-108  
Mel Friesen on behalf of Community Bible Church  
REQUEST: Approval of a Major Amendment to a Conditional Use Permit to allow Religious assembly in an R3 District  
LOCATION: Southwest of 90th and “Q” Streets  

DISPOSITION: APPROVED 7-0. Approval of the Major Amendment to the Conditional Use Permit to allow Religious assembly in a R3 District subject to: 1) Compliance with the hours of operation as listed in the October 4, 2010, correspondence from HGM Associates, Inc. to the City of Omaha; 2) Compliance with the amended site plan that includes Lot 1, Bay Meadows Replat 8 only; 3) Bay Meadows Replat 8 being recorded prior to issuance of a permit for the parking lot expansion; and 4) That a 6’ opaque fence or landscape screen be provided to screen the view of the parking lot from the residential property.

Vacations

23. C14-10-171  
Property Owner  
REQUEST: Vacation of three (3) irregular segments, two (2) along Abbott Drive at vacated 14th Street East and south of Avenue H, and one (1) on 15th Street East  

DISPOSITION: APPROVED 6-0. Approval of the vacation of right-of-way lying west of vacated 14th Street East and north of Lot 8, Block 6, Goff Terrace and south of Abbott Drive. Approval of the vacation of the right-of-way lying east of Abbott Drive, north of Lot 18, Block 7, Goff Terrace and west of Lot 3 and 4, Block 7, Goff Terrace. Approval of the vacation of the right-of-way lying east of Lot 3, 4, 5 and part of Lot 6, Block 7, Goff Terrace and west of the relocated 15th Street East; subject to all appropriate easements being reserved in the vacating ordinance(s). Denial of the vacation of right-of-way lying east of Lot 1 and 2, Block 7, Goff Terrace.

Dedications

24. C16-10-170 (D)  
Property Owner  
REQUEST: Dedication of the west 4 feet and the south 13.68 feet of Lot 1, Dundee Place Replat No. 19  
LOCATION: Northeast of 49th and Dodge Streets  

DISPOSITION: APPROVED 7-0. Approval of the proposed dedication.

Reconsideration

25. C7-10-118  
NewStreet, LLC  
REQUEST: Approval of a Conditional Use Permit to allow Outdoor entertainment in a CBD District (pending)  
LOCATION: Northeast of North 15th Street and Mike Fahey Street  

DISPOSITION: APPROVED 7-0. Approval to reconsider the case at the December 1, 2010 or future regular Planning Board meeting.